

*QUICK REFERENCE TO STANDARD WAGE RATES  
FOR CERTAIN SERVICE WORKERS*  
(Connecticut General Statute 31-57f)

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AND MANY MORE SERVICE WORKERS

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# Table of Contents

	Page
I. Introduction -----	1
II. Summary of Connecticut General Statute 31-57f -----	2
III. Questions and Answers Regarding Section 31-57f -----	4
IV. Public Act 09-183 An Act Concerning the Standard Wage for Certain Connecticut Workers (effective 7/20/09) -----	6
a. OLR Bill Analysis -----	12
b. Quick Explanation of Public Act 09-183 -----	16
V. Classifications of Service Workers -----	18
VI. Form to Request Standard Wage Rates -----	29
VII. Sample Standard Wage Rates -----	30
VIII. Sample Requests for Standard Wage Rates -----	40
IX. Certified Payroll -----	41
X. Sample Certified Payroll -----	44
XI. How to Calculate Fringe Benefits -----	46
XII. Opinions from the Attorney General's Office -----	49
a. September 8, 2003 -Adjustment of wages during life of contract -----	49
b. October 17, 2005 - Coverage when a management company and vendor contract with the State -----	53
c. April 10, 2006 - Agency responsible to pay coverage costs -----	56
XIII. Comments, Clarifications, Questions -----	60

# Quick Reference to Standard Wage Rates for Certain Service Workers

## Introduction

**T**his guide has been prepared to help answer questions regarding the application and implementation of Connecticut General Statutes.

**T**he guide begins with the law itself followed by answers to basic questions. We have also enclosed sample rates as well as definitions of classifications. Other helpful information is included.

**T**his guide is being published as a public service only and should not be considered the official or legal resource regarding the law. As such, the information is provided without prejudice to the rights and privilege of the Labor Department. Please refer to the General Statutes and contact the Department of Labor should questions arise after reading this guide.

# Quick Reference to Standard Wage Rates for Certain Service Workers

## Summary of Connecticut's Service Worker Law (C.G.S. Section 31-57f)

Section 31-57f of the Connecticut General Statutes provides for the setting of standard wage rates for certain service workers.

- **Coverage:** On or after July 1, 2000 each contract or agreement entered into with the state or any state agent for the provision of food, building, property or equipment services shall have standard wage rates determined by the Labor Commissioner. These rates only affect those contracts or agreements more than \$49,999.00. However, any employer that pays the state for a franchise to provide food preparation or service shall pay the standard wage rates regardless of costs.
- **Standard Wage Rates:** The Labor Commissioner shall establish the standard rate of wages for each classification for all hourly non supervisory employees by adopting the minimum hourly wages set forth in the federal Register of Wage Determinations under the Service Contract Act, plus a thirty percent surcharge to cover the cost of any health, welfare or retirement plans.
- **Obtaining Wage Rates:** Each state agent empowered to let such contract shall contact the Labor Commissioner at least ten days prior to the date such contract will be advertised for bid.
- **Certified Payrolls:** Upon written request of the contracting state agent each required employer shall submit a certified payroll established in a form and manner by the Labor Commissioner. Such records shall relate to the wages and hours worked by each employee and a schedule of the occupation or work classification at which each person is employed. A statement will also be required to be signed by the employer that the records are correct, the rate of wages paid to each employee is not less than the standard rate of wages, such employer has complied with the law, and filing a false certified payroll is a Class D Felony.
- **Penalties:** Any required employer who violates the requirements to pay a standard wage rate shall pay a civil penalty in an amount not less than \$2,500.00 but not more than \$5,000.00 for each offense. The contracting department of state shall impose the penalty and take steps to collect the fine. The Labor Commissioner may make complaint to the proper prosecuting authorities for the violation of paying a standard wage rate. Penalties may also be assessed under 31-59 and 31- 69 the Connecticut General Statutes.

- **Definitions:** 1. (a) As used in this section: (1) "Required employer" means any provider of food, building, property or equipment services or maintenance listed in this subdivision whose rate of reimbursement or compensation is determined by contract or agreement with the state or any of its agents: (A) Building, property or equipment service companies; (B) management companies providing property management services; and (C) companies providing food preparation or service, or both; (2) "agent" means any state official, state employee or other person authorized to enter into a contract or agreement on behalf of the state; (3) "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives or organized groups of persons; and (4) "building, property or equipment service" means any janitorial, cleaning, maintenance or related service.

# **Quick Reference to Standard Wage Rates for Certain Service Workers**

## **Questions and Answers Regarding Section 31-57f**

### **QUESTIONS AND ANSWERS FOR CONTRACTING STATE AGENTS REGARDING THE SETTING OF STANDARD WAGE RATES FOR CERTAIN SERVICE WORKERS**

**Q. When does this act take effect and when are contracts required to include standard wage rates?**

Although the act takes effect on July 1, 1999, the provisions only apply to those contracts or agreements entered into after July 1, 2000.

**Q. Does this Act cover an employer that pays the state for a franchise to provide food preparation or service, or both, for the state?**

Yes, even those contracts that do not exceed the \$49,999 threshold as required by section (i) of the Act.

**Q. Are all contracts covered regardless of the dollar amount of the contract?**

No, the provisions of the Act only apply to those contracts, agreements, or grants exceeding \$49,999 per year.

**Q. Which contract services are covered by this new law?**

Those services which provide for food, building, property, or equipment services or maintenance whose rate of reimbursement or compensation are determined by state contract or agreement.

**Q. Are the providing of security services or health services covered under this law?**

As of July 1, 2013 security services will be covered under 31-57f. Please refer to the Department of Administrative Services for contract information. Health services will still not be covered law.

**Q. What is a state agent under Section 1 of the Act?**

A state agent is defined as any state official, state employee, or other person authorized to enter into a contract or agreement on behalf of the state.

**Q. What is the definition of building, property, or equipment services?**

These services include any janitorial, cleaning, maintenance, or related service.

**Q. How are the standard wage rates for each classification established?**

Under section (e) of the Act, the Labor Commissioner shall determine the standard rate of wages for each classification of all hourly, non-supervisory employees which shall be equivalent to the minimum hourly wages set forth in the federal Register of Wage

Determinations under the Service Contract Act, plus a thirty percent surcharge of the hourly rate to cover the cost of health, welfare, and retirement plans.

**Q. Are there definitions of the classifications established by the Labor Commissioner?**

Yes, these definitions are based on the applicable occupation codes and titles set forth in the federal Register of Wage Determinations under the Service Contract Act and will be made available to any interested party.

**Q. Please provide an example of how an hourly rate and thirty percent surcharge would be calculated.**

If the hourly rate for a classification is \$10.00 per hour, the 30% surcharge would equal \$3.00 for each hour worked. The contractor can either show a cost for providing benefits equal to \$3.00 per hour to pay that amount or pay the balance in cash to the employee.

**Q. What benefits would be included under health and welfare?**

An employer can provide health or life insurance as well as vacation, sick or holiday pay. Those benefits that are required by federal or state law such as workers' compensation coverage, social security, and unemployment benefits cannot be credited against the 30% surcharge.

**Q. When must a state agent contact the Labor Commissioner to receive the standard wage rates?**

The rates must be requested at least 10 days prior to the date such contract will be advertised for bid.

**Q. Are contractors required to complete certified payroll forms and to whom must these be submitted?**

Yes, certified payroll forms supplied by the Labor Department in accordance with section (h) of the Act shall be required to be filled out and the contracting state agent may require in writing that they be submitted to said agent.

**Q. Are there penalties for not complying with the provisions of this Act?**

Yes, any required employer or agent of such employer that violates subsection (b) of the Act shall pay a civil penalty in an amount not less than two thousand five hundred dollars (\$2,500) but not more than five thousand dollars (\$5,000) for each offense. The Labor Commissioner may also make complaint to the proper prosecuting authorities for the violation of any provision of subsection (b) of this Act.



**Substitute House Bill No. 6502**

**Public Act No. 09-183**

**AN ACT CONCERNING THE STANDARD WAGE FOR CERTAIN CONNECTICUT WORKERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-57f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) As used in this section: (1) "Required employer" means any provider of food, building, property or equipment services or maintenance listed in this subdivision whose rate of reimbursement or compensation is determined by contract or agreement with the state or any state agent: (A) Building, property or equipment service companies; (B) management companies providing property management services; and (C) companies providing food preparation or service, or both; (2) "state agent" means any state official, state employee or other person authorized to enter into a contract or agreement on behalf of the state; (3) "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives or organized groups of persons; [and] (4) "building, property or equipment service" means any janitorial, cleaning, maintenance or related service; (5) "prevailing rate of wages" means the hourly wages paid for work performed within the city of Hartford under the collective bargaining agreement covering the largest number of hourly nonsupervisory employees employed within Hartford County in each classification established by the Labor Commissioner under subsection (e) of this section, provided the collective bargaining agreement covers no less than five hundred employees in the classification; (6) "prevailing rate of benefits" means the total cost to the employer on an hourly basis for work performed within the city of Hartford, under a collective bargaining agreement that establishes the prevailing rate of wages, of providing health, welfare and retirement benefits, including, but not limited to, (A) medical, surgical or hospital care benefits; (B) disability or death benefits; (C) benefits in the event of unemployment; (D) pension benefits; (E) vacation, holiday and personal leave; (F) training benefits; and (G) legal services benefits, and may include payment made directly to employees, payments to purchase insurance and the amount of payment or contributions paid or payable by the employer on behalf of each employee to any employee benefits fund; (7) "employee benefit fund" means any trust fund established by one or more employers and one or more labor organizations or one or more other third parties not affiliated with such employers to provide, whether through the



purchase of insurance or annuity contracts or otherwise, benefits under an employee health, welfare or retirement plan, but does not include any such fund where the trustee or trustees are subject to supervision by the Banking Commissioner of this state or of any other state, or the Comptroller of the Currency of the United States or the Board of Governors of the Federal Reserve System; and (8) "benefits under an employee health, welfare or retirement plan" means one or more benefits or services under any plan established or maintained for employees or their families or dependents, or for both, including, but not limited to, medical, surgical or hospital care benefits, benefits in the event of sickness, accident, disability or death, benefits in the event of unemployment, retirement benefits, vacation and paid holiday benefits, legal service benefits or training benefits.

(b) On and after July 1, 2000, the wages paid on an hourly basis to any employee of a required employer in the provision of food, building, property or equipment services provided to the state pursuant to a contract or agreement with the state or any state agent, shall be at a rate not less than the standard rate determined by the Labor Commissioner pursuant to subsection (g) of this section.

(c) Any required employer or agent of such employer that violates subsection (b) of this section shall pay a civil penalty in an amount not less than two thousand five hundred dollars but not more than five thousand dollars for each offense. The contracting department of the state that has imposed such civil penalty on the required employer or agent of such employer shall, within two days after taking such action, notify the Labor Commissioner, in writing, of the name of the employer or agent involved, the violations involved and steps taken to collect the fine.

(d) The Labor Commissioner may make complaint to the proper prosecuting authorities for the violation of any provision of subsection (b) of this section.

(e) For the purpose of predetermining the standard rate of covered wages on an hourly basis, the Labor Commissioner shall establish classifications for all hourly nonsupervisory employees based on the applicable occupation codes and titles set forth in the federal Register of Wage Determinations under the Service Contract Act of 1965, 41 USC 351, et seq. , provided the Labor Commissioner shall classify any individual employed on or before July 1, 2009, as a grounds maintenance laborer or laborer as a janitor, and shall classify any individual hired after July 1, 2009, performing the duty of grounds maintenance laborer, laborer or janitor as a light cleaner, heavy cleaner, furniture handler or window cleaner, as appropriate. The Labor Commissioner shall then determine the standard rate of wages for each classification of hourly nonsupervisory employees which shall be [equivalent to] (1) the prevailing rate of wages paid to employees in each classification, or if there is no such prevailing rate of wages, the minimum hourly wages set forth in the federal Register of Wage Determinations under the Service Contract Act, plus (2) the prevailing rate of benefits paid to employees in each classification, or if there is no such prevailing rate of benefits, a thirty per cent surcharge on the amount determined in subdivision (1) of this subsection to cover the cost of any health, welfare and retirement [plans] benefits or, if no such [plan is in effect between] benefits are provided to the employees, [and the employer,] an amount equal to thirty per cent of the [hourly wage] amount determined in subdivision (1) of this section, which shall be paid directly to the

employees. The standard rate of wages for any employee entitled to receive such rate on or before July 1, 2009, shall not be less than the minimum hourly wage for the classification set forth in the federal Register Of Wage Determinations under the Service Contract Act plus the prevailing rate of benefits for such classification for as long as that employee continues to work for a required employer.

(f) Required employers with employees covered by collective bargaining agreements which call for wages and benefits that are reasonably related to the standard rate of wages shall not be economically disadvantaged in the bidding process, provided the collective bargaining agreement was arrived at through arms-length negotiations.

(g) The Labor Commissioner shall, in accordance with subsection (e) of this section, determine the standard rate of wages for each classification on an hourly basis where any covered services are to be provided, and the state agent empowered to let such contract shall contact the Labor Commissioner at least ten days prior to the date such contract will be advertised for bid, to ascertain the standard rate of wages and shall include the standard rate of wages on an hourly basis for all classifications of employment in the proposal for the contract. The standard rate of wages on an hourly basis shall, at all times, be considered the minimum rate for the classification for which it was established.

(h) Where a required employer is awarded a contract to perform services that are substantially the same as services that have been rendered under a predecessor contract, such required employer shall retain, for a period of ninety days, all employees who had been employed by the predecessor to perform services under such predecessor contract, except that the successor contract need not retain employees who worked less than fifteen hours per week or who had been employed at the site for less than sixty days. During such ninety-day period, the successor contract shall not discharge without just cause an employee retained pursuant to this subsection. If the performance of an employee retained pursuant to this subsection or section 4a-82 is satisfactory during the ninety-day period, the successor contractor shall offer the employee continued employment for the duration of the successor contract under the terms and conditions established by the successor contractor, or as required by law. The provisions of this subsection shall not apply to any contract covered by subsections (o) and (p) of section 4a-82.

[(h)] (i) Each required employer subject to the provisions of this section shall (1) keep, maintain and preserve such records relating to the wages and hours worked by each employee and a schedule of the occupation or work classification at which each person is employed during each work day and week in such manner and form as the Labor Commissioner establishes to assure the proper payments due to such employees, and (2) annually or upon written request, submit to the contracting state agent a certified payroll which shall consist of a complete copy of such records accompanied by a statement signed by the employer which indicates that (A) such records are correct, (B) the rate of wages paid to each employee is not less than the standard rate of wages required by this section, (C) such employer has complied with the provisions of this section, and (D) such employer is aware that filing a certified payroll which it knows to be false is a class D felony for which such employer may be fined not more than five thousand dollars or imprisoned not more than five years, or both. Notwithstanding the

provisions of section 1-210, the certified payroll shall be considered a public record and every person shall have the right to inspect and copy such record in accordance with the provisions of section 1-212. The provisions of subsections (a) and (b) of section 31-59, section 31-66 and section 31-69 which are not inconsistent with the provisions of this section shall apply. Any person who files a false certified payroll in violation of subdivision (2) of this subsection shall be guilty of a class D felony for which such person may be fined not more than five thousand dollars or imprisoned not more than five years, or both.

[(i)] (j) This section shall not apply to contracts, agreements or grants which do not exceed forty-nine thousand nine hundred ninety-nine dollars per annum.

[(j)] (k) On receipt of a complaint for nonpayment of the standard rate of wages, the Labor Commissioner, the Director of Wage and Workplace Standards and wage enforcement agents of the Labor Department shall have power to enter, during usual business hours, the place of business or employment of any employer to determine compliance with this section, and for such purpose may examine payroll and other records and interview employees, call hearings, administer oaths, take testimony under oath and take depositions in the manner provided by sections 52-148a to 52-148e, inclusive. The commissioner or the director, for such purpose, may issue subpoenas for the attendance of witnesses and the production of books and records. Any required employer, an officer or agent of such employer, or the officer or agent of any corporation, firm or partnership who wilfully fails to furnish time and wage records as required by law to the commissioner, the director or any wage enforcement agent upon request or who refuses to admit the commissioner, the director or such agent to a place of employment or who hinders or delays the commissioner, the director or such agent in the performance of any duties in the enforcement of this section shall be fined not less than twenty-five dollars nor more than one hundred dollars, and each day of such failure to furnish time and wage records to the commissioner, the director or such agent shall constitute a separate offense, and each day of refusal of admittance, of hindering or of delaying the commissioner, the director or such agent shall constitute a separate offense.

[(k)] (l) Notwithstanding subsection [(i)] (j) of this section, any employer that pays the state for a franchise to provide food preparation or service, or both, for the state shall be required to certify that the wages and benefits paid to its employees are not less than the standard rate established pursuant to this section, provided, if no prevailing rate of wages or benefits was in effect at the time the state entered into a franchise agreement, then the employer shall not be required to pay the prevailing rate of wages or benefits during the life of the agreement, unless the agreement is amended, extended or renewed.

[(l)] (m) The Labor Commissioner may adopt regulations, in accordance with chapter 54, to carry out the provisions of this section.

[(m)] (n) The provisions of this section and any regulation adopted pursuant to subsection [(l)] (m) of this section shall not apply to any contract or agreement entered into before July 1, 2000.

Vetoed July 2, 2009

## Office of Legislative Research Summary

### AN ACT CONCERNING THE STANDARD WAGE FOR CERTAIN CONNECTICUT WORKERS.

This bill creates a new method for determining the hourly wage and benefits for employees under the standard wage law, which governs compensation for employees of private contractors who do building and property maintenance, property management, and food service work in state buildings. Under the bill, such employees will receive the same prevailing wage rates and prevailing benefits as employees working under the union agreement covering the same type of work for the largest number of hourly nonsupervisory employees, as long as it covers at least 500 employees, in Hartford County. This ties the state pay and benefits for standard wage workers to those provided under the private sector union contract that meets the bill's criteria. (At least one union contract meets the criteria; see BACKGROUND. ) If there is no private sector contract that meets the bill's criteria, then the law's current standard wage rate will apply.

The new wages and benefits affect standard wage contract workers hired after July 1, 2009. Those already working for standard wage employers on or before July 1, 2009 will be paid an hourly wage based on the current standard wage law, but after July 1, 2009 their benefits will be the same as those working under a Hartford County union contract for the same type of work.

The bill requires a new contractor that takes over an existing building service to keep the employees from the predecessor contract for at least 90 days after the date it begins service under the successor contract and permits it to fire them only for cause. This provision does not apply to employees who worked less than 15 hours a week or who were employed at the worksite for less than 60 days.

If an employee performs satisfactorily during the 90-day period, the successor contractor must offer him or her continued employment for the contract's duration under the terms and conditions of the successor contractor or as required by law. The bill excludes people with disabilities or disadvantaged people working in the janitorial work pilot program under contracts with no more than four full-time workers from the provision requiring employees to be hired by a new contractor taking over a predecessor contract. This appears to apply whether the people under the janitorial pilot program work for the new contractor taking over a predecessor contract or for the predecessor contractor when the new contractor takes over. The bill also exempts employees under the janitorial work pilot program from the requirement that the standard wage be considered their minimum wage.

\*House Amendment "A" (1) adds holidays to the prevailing rate of benefits that is applied to all standard wage workers after July 1, 2009 and removes holidays from part of the bill that applied a penalty from existing law of between \$ 2,500 and \$ 5,000 on employers for not providing paid holidays; (2) requires the labor commissioner to (a) reclassify anyone hired prior to July 1, 2009 as a grounds maintenance laborer or laborer as a janitor and (b) classify anyone hired after July 1, 2009 performing the duty of a grounds maintenance laborer, laborer, or janitor as a light cleaner, heavy cleaner, furniture handler, or window cleaner, as appropriate; (3) specifies the bill's job protection provision for employees from a predecessor contract does not apply to those who worked less than 15 hours a week or who were employed at the site less than 60 days for the predecessor; and (4) makes technical changes.

EFFECTIVE DATE: July 1, 2009

#### DETERMINING WAGES AND BENEFITS FOR STANDARD WAGE WORKERS

##### Definitions

Under the bill, "prevailing rate of wages" means the hourly wages paid for work performed in Hartford under the union contract covering the largest number of hourly nonsupervisory employees employed in Hartford County in each classification the labor commissioner establishes, as long as the union contract covers at least 500 employees. By law, the commissioner must base the classifications on occupation codes and titles in the federal Register of Wage Determinations under the Service Contract Act (41 USC § 351, et seq. ).

The bill defines "prevailing rate of benefits" as the total hourly cost to the employer for work performed in Hartford under a union contract that establishes the prevailing rate of wages for providing health, welfare, and retirement benefits, including benefits for:

1. medical, surgical, or hospital care;
2. disability or death;
3. unemployment;
4. pension;
5. vacation, holiday, and personal leave;
6. training; and
7. legal services.

These benefits may include payment made directly to employees, payments to purchase insurance, and payments or contributions paid or payable by the employer on behalf of each employee to any employee benefits fund. It defines "employee benefit fund" as any trust fund established by (1) one or more employers and one or more unions or (2) one or more other third-parties not affiliated with the employers to provide, whether through the purchase of insurance or annuity contracts or other means, benefits under an employee health, welfare, or retirement plan. The definition excludes funds whose trustee or trustees are subject to supervision by the banking commissioner of this or any other state, the U. S. comptroller of the currency, or the Federal Reserve Board. This description meets the federal Taft-Hartley Act standard for an employee benefit fund.

#### Job Classifications

The bill requires the labor commissioner to (1) reclassify as a janitor anyone hired prior to July 1, 2009, as a grounds maintenance laborer or laborer and (2) classify anyone hired after July 1, 2009 performing the duty of a grounds maintenance laborer, laborer, or janitor as a light cleaner, heavy cleaner, furniture handler, or window cleaner, as appropriate.

#### Employees Pay Determined in Two Ways

The new wages and benefits affect standard wage contract workers hired after July 1, 2009. Employees already working for standard wage employers on or before that date will be paid an hourly wage based on the current standard wage law, but after July 1, 2009 their benefits will be the same as those under a Hartford County union contract for the same type of work.

Under the bill, if there is no private sector union contract for at least 500 employees in Hartford County doing the same work, then the wage rate determination in the current standard wage law will apply. Under the current standard wage law, the commissioner sets the hourly rate for all job classes based on those identified in the Federal Register of Wage Determinations, plus a 30% surcharge to represent the cost of health and retirement benefits. The employer either provides benefits equal to the 30% surcharge or pays the employees the additional 30%.

#### BACKGROUND

##### Standard Wage Law

This law requires contractors that provide the state or its agents with building cleaning or maintenance; or food, property, or equipment services to pay their employees at least the standard wage rates as the commissioner determines. It also (1) prescribes how contracting agents inform potential bidders of standard wage rates to be met in preparing a contract proposal; (2) requires covered employers to maintain records of each employee's wages, hours, and classification and to make these records available to the contracting agent; (3) establishes penalties for filing a false certified payroll and fines for failing to pay the required rate; and (4) authorizes the labor department to investigate complaints and enforce the law.

##### SEIU Local 32BJ Contract

The Service Employees International Union's (SEIU) Local 32BJ currently has a four-year contract (January 1, 2008 to December 31, 2011) with the Hartford Area Cleaning Contractors Association to provide building and janitorial services to a number of office buildings in greater Hartford. The local has more than 500 members.

## **OLR Bill Analysis**

### **sHB 6502 (as amended by House "A")\***

#### ***AN ACT CONCERNING THE STANDARD WAGE FOR CERTAIN CONNECTICUT WORKERS.***

#### **SUMMARY:**

This bill creates a new method for determining the hourly wage and benefits for employees under the standard wage law, which governs compensation for employees of private contractors who do building and property maintenance, property management, and food service work in state buildings. Under the bill, such employees will receive the same prevailing wage rates and prevailing benefits as employees working under the union agreement covering the same type of work for the largest number of hourly nonsupervisory employees, as long as it covers at least 500 employees, in Hartford County.

This ties the state pay and benefits for standard wage workers to those provided under the private sector union contract that meets the bill's criteria. (At least one union contract meets the criteria; see BACKGROUND. ) If there is no private sector contract that meets the bill's criteria, then the law's current standard wage rate will apply.

The new wages and benefits affect standard wage contract workers hired after July 1, 2009. Those already working for standard wage employers on or before July 1, 2009 will be paid an hourly wage based on the current standard wage law, but after July 1, 2009 their benefits will be the same as those working under a Hartford County union contract for the same type of work.

The bill requires a new contractor that takes over an existing building service to keep the employees from the predecessor contract for at least 90 days after the date it begins service under the successor contract and permits it to fire them only for cause. This provision does not apply to employees who worked less than 15 hours a week or who were employed at the worksite for less than 60 days.

If an employee performs satisfactorily during the 90-day period, the successor contractor must offer him or her continued employment for the contract's duration under the terms and conditions of the successor contractor or as required by law.

The bill excludes people with disabilities or disadvantaged people working in the janitorial work pilot program under contracts with no more than four full-time workers from the provision requiring employees to be hired by a new contractor taking over a predecessor contract. This appears to apply whether the people under the janitorial pilot program work for the new contractor taking over a predecessor contract or for the predecessor contractor when the new contractor takes over. The bill also exempts employees under the janitorial work pilot program from the requirement that the standard wage be considered their minimum wage.

\*House Amendment "A" (1) adds holidays to the prevailing rate of benefits that is applied to all standard wage workers after July 1, 2009 and removes holidays from part of the bill that applied a penalty from existing law of between \$ 2,500 and \$ 5,000 on employers for not providing paid holidays; (2) requires the labor commissioner to (a) reclassify anyone hired prior to July 1, 2009 as a grounds maintenance laborer or laborer as a janitor and (b) classify anyone hired after July 1, 2009 performing the duty of a grounds maintenance laborer, laborer, or janitor as a light cleaner, heavy cleaner, furniture handler, or window cleaner, as appropriate; (3) specifies the bill's job protection provision for employees from a predecessor contract does not apply to those who worked less than 15 hours a week or who were employed at the site less than 60 days for the predecessor; and (4) makes technical changes.

EFFECTIVE DATE: July 1, 2009

## **DETERMINING WAGES AND BENEFITS FOR STANDARD WAGE WORKERS**

### ***Definitions***

Under the bill, "prevailing rate of wages" means the hourly wages paid for work performed in Hartford under the union contract covering the largest number of hourly nonsupervisory employees employed in Hartford County in each classification the labor commissioner establishes, as long as the union contract covers at least 500 employees. By law, the commissioner must base the classifications on occupation codes and titles in the federal Register of Wage Determinations under the Service Contract Act (41 USC § 351, *et seq.* ).

The bill defines "prevailing rate of benefits" as the total hourly cost to the employer for work performed in Hartford under a union contract that establishes the prevailing rate of wages for providing health, welfare, and retirement benefits, including benefits for:

1. medical, surgical, or hospital care;
2. disability or death;
3. unemployment;
4. pension;
5. vacation, holiday, and personal leave;
6. training; and
7. legal services.

These benefits may include payment made directly to employees, payments to purchase insurance, and payments or contributions paid or payable by the employer on behalf of each employee to any employee benefits fund.

It defines "employee benefit fund" as any trust fund established by (1) one or more employers and one or more unions or (2) one or more other third-parties not affiliated with the employers to provide, whether through the purchase of insurance or annuity contracts or other means, benefits under an employee health, welfare, or retirement plan. The definition excludes funds whose trustee or trustees are subject to supervision by the banking commissioner of this or any other state, the U. S. comptroller of the currency, or the Federal Reserve Board. This description meets the federal Taft-Hartley Act standard for an employee benefit fund.

### ***Job Classifications***

The bill requires the labor commissioner to (1) reclassify as a janitor anyone hired prior to July 1, 2009, as a grounds maintenance laborer or laborer and (2) classify anyone hired after July 1, 2009 performing the duty of a grounds maintenance laborer, laborer, or janitor as a light cleaner, heavy cleaner, furniture handler, or window cleaner, as appropriate.

### ***Employees Pay Determined in Two Ways***

The new wages and benefits affect standard wage contract workers hired after July 1, 2009. Employees already working for standard wage employers on or before that date will be paid an hourly wage based on the current standard wage law, but after July 1, 2009 their benefits will be the same as those under a Hartford County union contract for the same type of work.

Under the bill, if there is no private sector union contract for at least 500 employees in Hartford County doing the same work, then the wage rate determination in the current standard wage law will apply. Under the current standard wage law, the commissioner sets the hourly rate for all job classes based on those identified in the Federal Register of Wage Determinations, plus a 30% surcharge to represent the cost of health and retirement benefits. The employer either provides benefits equal to the 30% surcharge or pays the employees the additional 30%.

## **BACKGROUND**

### ***Standard Wage Law***

This law requires contractors that provide the state or its agents with building cleaning or maintenance; or food, property, or equipment services to pay their employees at least the standard wage rates as the commissioner determines. It also (1) prescribes how contracting agents inform potential bidders of standard wage rates to be met in preparing a contract proposal; (2) requires covered employers to maintain records of each employee's wages, hours, and classification and to make these records available to the contracting agent; (3) establishes penalties for filing a false certified payroll and fines for failing to pay the required rate; and (4) authorizes the labor department to investigate complaints and enforce the law.

### ***SEIU Local 32BJ Contract***

The Service Employees International Union's (SEIU) Local 32BJ currently has a four-year



contract (January 1, 2008 to December 31, 2011) with the Hartford Area Cleaning Contractors Association to provide building and janitorial services to a number of office buildings in greater Hartford. The local has more than 500 members.

### **COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea	11	Nay	0	(03/12/2009)
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Appropriations Committee

Joint Favorable

Yea	41	Nay	14	(04/23/2009)
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# Quick Reference to Standard Wage Rates for Certain Service Workers

## Explanation of Public Act 09-183

Essentially this public act creates a new method for determining hourly rates and benefits for specific classifications in the cleaning category. The classifications will reflect occupations outlined in the collective bargaining agreement in Hartford county.

### MAJOR CHANGES

- The classifications of grounds maintenance laborer or laborer if hired **before July 1, 2009** now are classified as janitors.
- Any grounds maintenance laborer, laborer or janitor hired **after July 1, 2009** shall be classified as a light cleaner, heavy cleaner, furniture handler, or window cleaner, as appropriate.
- There are now footnotes associated with these occupations that specify the amount of health and welfare benefits and how vacation, holiday, and personal days are calculated.
- Definitions of Light Cleaner and Heavy Cleaner:
  - **Heavy Cleaner**  
All heavy mopping; all damp mopping in excess of one-half hour per shift; all work done on a ladder; most bathroom cleaning, except for wiping out sinks and replacing toilet supplies; buffing, stripping, waxing; use of any heavy machine; brass polishing; removing heavy trash and loading into gondolas, compactors; changing light bulbs, cleaning light fixtures; loading and unloading drums, boxes of cleaning material; high dusting, including use of extension poles and other tasks requiring extra strength, agility, and expertise.
  - **Light Cleaner**  
Spot dry moping of one-half hour or less per shift; emptying ashtrays; cleaning phones; spot cleaning; desk dusting; dusting within arm's reach; emptying waste baskets into trash bags; vacuuming of no more than ½ of shift; wiping out sinks and replacing toilet supplies in bathrooms; no climbing; no extension poles and no lifting of more than 20 pounds.

For a complete list of changes refer to Public Act 09-183.

The rates for all other classifications will continue to be determined according to the Federal Register of Wage Determinations under the Service Contract Act of 1965.

*For further explanation of the bill please contact the Wage and Workplace Standards Division at 860-263-6790. You may also go to the Connecticut General Assembly website, [www.cga.gov](http://www.cga.gov) and read the Office of Legislative Research analysis of the bill.*


#### **MORE INFORMATION**

- Public Act 09-183
- Office of Legislation Research (OLR) Bill Analysis

# Quick Reference to Standard Wage Rates for Certain Service Workers

## Classification of Service Workers

**Classifications Established by the Labor Commissioner based on the applicable occupational codes and titles set forth in the federal Register of Wages Determination under the Service Contract Act of 1965.**

 **DISCLAIMER:** These definitions are to provide guidance and may be subject to change due to evolving job duties.

### Protective Service Occupations

- **Guard I**  
Carries out detailed instructions and procedures primarily oriented to ensure that emergencies and security violations are readily discovered and reported to appropriate authority. The primary duty is to observe and report security and emergency situations. Intervenes directly only in situations which require minimal action to safeguard property or persons.
- **Guard II**  
Enforces regulations and procedures designed to prevent breaches of security, exercises judgment and uses discretion in responding to incidents and emergencies, determining whether to intervene directly, ask for assistance as time permits, keep situation under control or surveillance, or to report incident or situation to the appropriate authority for handling. Commonly required to demonstrate proficiency with firearms and other special weapons and to meet rigorous physical fitness standards.

### Food Preparation and Service Occupations

- **Baker**  
Applies full knowledge of baking trade and is responsible for producing standard baked goods as bread, rolls, cakes, cookies, biscuits, muffins, various types of puddings and ice cream or sherbets.
- **Cook I**  
Independently performs moderately difficult tasks in preparing small quantities of quickly prepared food such as steaks, chops, cutlets, hamburgers, eggs, salads and other similar items. Excludes workers who exercise general supervision over kitchen activities.

- **Cook II**  
Prepares in large quantities, by various methods of cooking, meat, poultry, fish, vegetables, etc. Seasons and cooks all cuts of various meats, fish and poultry. Boils, steams or fries vegetables. Makes gravies, soups, sauces, roasts, meat pies, fricassees, casseroles, and stews. Excludes food service supervisors and head cooks who exercise general supervision over kitchen activities.
- **Dishwasher**  
Manually or mechanically washes and rinses dishes, glasses and silverware; maintains proper temperature for sterilization and adds soap as needed; performs other duties as assigned.
- **Fast Food Shift Leader (Crew Chef, Team Leader)**  
A non supervisory full or part-time worker who performs the duties of a Fast Food Worker. In addition, from time to time, after training, performs other duties requiring a limited amount of discretion such as assisting management in directing other Fast Food Workers, controlling amount and timing of food production, and opening and closing restaurant.
- **Fast Food Worker (Crew Person, Team Member, Associate)**  
A non supervisory full or part-time worker who performs one or more repetitious and standardized tasks at an assigned station. Duties include one or more of the following: Preparing simple food items such as french fries, fish or chicken portions, hamburgers, and beverages in a highly standardized manner, often controlled by automatic or simple timing devices; taking customers' orders; filling orders; and collecting payment. May rotate among stations. May also clean equipment or premises.
- **Food Service Worker (Cafeteria Worker)**  
Performs a variety of tasks concerned with the preparation and serving of foods and beverages. Washes, peels, scrapes, and cuts vegetables and fruits. Prepares simple salads and toast. Cuts butter and slices cakes and pies. Makes coffee, tea, and other beverages. Dishes out portions of foods on trays or plates, and pours beverages. Prepares dining and serving areas by setting up counters, stands, and tables. Places food containers in serving order, fills salt and pepper shakers, and places linen and silverware on tables. Scrapes, washes and sorts dishes, glassware, and silverware. Cleans kitchen equipment, pots and pans, counters, and tables. Sweeps and mops floors.
- **Heavy Cleaner**  
All heavy mopping; all damp mopping in excess of one-half hour per shift; all work done on a ladder; most bathroom cleaning, except for wiping out sinks and replacing toilet supplies; buffing, stripping, waxing; use of any heavy machine, snow blower; brass polishing; removing heavy trash and loading into gondolas, compactors; changing light bulbs, cleaning light fixtures; loading and unloading drums, boxes of cleaning material; high dusting, including use of extension poles and other tasks requiring extra strength,

agility, and expertise.

- **Light Cleaner**

Spot dry moping of one-half hour or less per shift; emptying ashtrays; cleaning phones; spot cleaning; desk dusting; dusting within arm's reach; emptying waste baskets into trash bags; vacuuming of no more than ½ of shift; wiping out sinks, replacing toilet supplies in bathrooms and snow shoveling; no climbing; no extension poles and no lifting of more than 20 pounds.

- **Meat Cutter**

Utilizing standardized meat cutting methods, breaks down meat carcasses and wholesale cuts; bones and cuts meat into roasts, steaks, chops, etc. Cleans and cuts fish into fillets and steaks. Draws, dresses and cuts poultry. Must have a knowledge of methods of handling and storing meats, fish or fowl.

- **Waiter/Waitress**

Serves food and beverages to patrons at counters and tables of coffee shops, lunchrooms, and other dining establishments. Presents menus to customers, answers questions, and makes suggestions regarding food and service. Writes order on check or memorizes it. Relays order to kitchen and serves course from kitchen and service bars. Observes guests to fulfill any additional requests and to perceive when meal has been completed. Totals bill and accepts payment or refers patron to Cashier. May ladle soup, toss salads, portion pies and desserts, brew coffee, and perform other services as determined by establishment's size and practices. May clear and reset counters or tables at conclusion of each course or meal.

- **Cashier**

Receives cash from customers or employees in payment for goods or services and records amounts received. Recomputes or computes bill, itemized lists, and tickets showing amount due, using adding machine or cash register. Makes change, cashes checks, and issues receipts or tickets to customers. Records amounts received and prepares reports of transactions. Reads and records totals shown on cash register tape and verifies against cash on hand. May make credit card transactions. May be required to know value and features of items for which money is received. May give cash refunds or issue credit memorandums to customers for returned merchandise. May operate ticket-dispensing machine. May sell candy, cigarettes, gum and gift certificates, and issue trading stamps. Usually employed in restaurants, cafeterias, theaters, retail stores, and other establishments.

## **General Services and Support Occupations**

- **Housekeeping Aide**

Contact the Department of Labor, Wage & Workplace Standards Division.

- **Janitor**

Cleans and keeps in an orderly condition factory working areas and washrooms, or premises of an office, apartment house, or commercial or other establishment. Duties involve a combination of the following: Sweeping, mopping or scrubbing, and polishing floors; removing chips, trash, and other refuse; dusting equipment, furniture, or fixtures; polishing metal fixtures or trimmings; providing supplies and minor maintenance services; and cleaning lavatories, showers, and restrooms.

Excluded are:

1. Workers who specialize in window washing.
2. Housekeeping staff who make beds and change linens as a primary responsibility.
3. Workers required to disassemble and assemble equipment in order to clean machinery.
4. Workers who receive additional compensation to maintain sterile facilities or equipment.

- **Laborer, Grounds Maintenance**

Maintains grounds of industrial, commercial or public property such as buildings, camp and picnic grounds, parks, playgrounds, greenhouses, and athletic fields, and repairs structures and equipment, performing one or more of the following tasks: Cut grass, using walking-type or riding mowers (less than 2000 lbs.). Trims hedges and edges around walks, flower beds and wells, using hedge trimmers, clippers and edging tools. Prunes shrubs and trees to shape and improve growth, using shears and other hand tools. Sprays lawn, shrubs, and trees with fertilizer or insecticide. Plants grass, flowers, trees, and shrubs. Waters lawn and shrubs during dry periods, using hose or activating sprinkler system. Picks up and burns or carts away leaves, paper or other litter. Removes snow from walks, driveways, roads, or parking lots, using shovel and snow blower. Spreads salt on walkways and other areas. Repairs and paints fences, gates, benches, tables, guardrails, and outbuildings. Assists in repair of roads, walks, buildings, and mechanical equipment. May clean comfort stations, office and workshop areas, and parking lots by sweeping, washing, mopping and polishing.

- **Maid or Houseman**

Cleans rooms and other premises of hotel, motel, tourist home, or other lodging facility, performing any combination of the following tasks. Dusts and cleans Venetian blinds, furniture, and other surfaces. Sorts, counts, folds, marks, or carries linens. Turns mattresses and makes beds. Moves and arranges furniture and hangs drapes. Cleans and polishes metalwork and porcelain bathroom fixtures. Spot-cleans walls and windows. Empties wastebaskets and removes trash. Removes soiled linens for laundering. Replenishes room supplies. Reports need for repairs to equipment, furniture, building and fixtures.

- **Pest Controller (Exterminator)**

Sprays chemical solutions or toxic gases and sets mechanical traps to kill pests that infest buildings and surrounding areas. Fumigates rooms and buildings, using toxic gases. Spray chemical solutions or dusts powders in rooms and work areas. Places poisonous paste or bait and mechanical traps where pests are present. May clean areas that harbor pests, using rakes, brooms, shovels, and mops preparatory to fumigating. May be required to hold State license.

- **Refuse Collector**

Picks up garbage, trash, or refuse from homes and businesses and other locations, and deposits it in a truck.

- **Tractor Operator**

Drives gasoline or diesel powered tractor to move materials, draw implements, tow trailers, pull out objects embedded in ground, or pull cable of winch to raise, lower, or load heavy material or equipment. Fastens attachments such as graders, plows, rollers, mowers (over 2000 lbs.), back-hoes, seeders, and disc harrows to tractor. Adjusts equipment for proper operation. Lubricates and makes minor repairs to tractor and attachments such as tightening bolts, and replacing washers, cotter pins, and screws.



- **Window Cleaner**

Cleans windows, glass partitions, mirrors, and other glass surfaces of building interior or exterior, using pail of soapy water or other cleaner, sponge, and squeegee. Crawls through window from inside and hooks safety belt to brackets for support; sets and climbs ladder to reach second or third story; uses bos'n chair, swing state or other scaffolding lowered from roof to reach outside windows; or stands to reach first floor or inside windows.

## **Mechanics and Maintenance Repair Occupations**

- **Carpenter, Maintenance**

Performs the carpentry duties necessary to maintain in good repair building woodwork and equipment such as bins, cribs, counters, benches, partitions, doors, floors, stairs, casings, and trim made of wood. Work involves most of the following: Planning and laying out of work from blueprints, drawings, models, or verbal instructions, using a variety of carpenter's hand tools, portable power tools and standards measuring instruments; making standard shop computations relating to dimensions of work; and selecting materials necessary for the work. In general, the work of the maintenance carpenter requires rounded training and experience usually acquired through a formal apprenticeship or equivalent training and experience.

- **Electrician, Maintenance**

Performs a variety of electrical trade functions such as the installation, maintenance, or repair of equipment for the generation, distribution, or utilization of electric energy. Work involves most of the following: Installing or repairing any of a variety of electrical equipment such as generators, transformers, switchboards, controllers, circuit breakers, motors, heating units, conduit systems, or other transmission equipment; working from blueprints, drawings, layouts, or other specifications; locating and diagnosing trouble in the electrical system or equipment; and using a variety of electrician's hand tools and measuring and testing instruments. In general, the work of the maintenance electrician requires rounded training and experience usually acquired through a formal apprenticeship or equivalent training and experience.

- **General Maintenance Worker**

Performs general maintenance and repair of equipment and buildings requiring practical skill and knowledge (but not proficiency) in such trades as painting, carpentry, plumbing, masonry, and electrical work. Work involves a variety of the following duties: Replacing electrical receptacles, wires, switches, fixtures, and motors; using plaster or compound to patch minor holes and cracks in walls and ceilings; repairing or replacing concrete floors, steps, and sidewalks; replacing damaged paneling and floor tiles; hanging doors and installing door locks; replacing broken window panes; and performing general maintenance on equipment and machinery.

Excluded are:

1. Craft workers included in a formal apprenticeship or progression program based on

training and experience;

2. Skilled craft workers required to demonstrate proficiency in one or more trades;

3. Workers performing simple maintenance duties not requiring practical skill and knowledge of a trade (e.g., changing light bulbs and replacing faucet washers).

- **Heating, Refrigeration and Air-Conditioning Mechanic**

Installs, services and repairs environmental-control systems in residences, department stores, office buildings and other commercial establishments, utilizing knowledge of refrigeration theory, pipefitting and structural layout. Mounts compressor and condenser units on platform or floor, using hand tools, following blueprints or engineering specifications. Fabricates, assembles and installs ductwork and chassis parts, using portable metalworking tools and welding equipment. Installs evaporator unit in chassis or in air-duct system, using hand tools. Cuts and bends tubing to correct length and shape, using cutting and bending equipment and tools. Cuts and threads pipe, using machine-threading or hand-threading equipment. Joins tubing or pipes to various refrigerating units by means of sleeves, couplings or unions, and solders joints, using torch, forming complete circuit for refrigerant. Installs expansion and discharge valves in circuit. Connects motors, compressors, temperature controls, humidity controls and circulating ventilation fans to control panels and connects control panels to power source. Installs air and water filters in completed installation.

Injects small amount of refrigerant into compressor to test systems and adds Freon gas to build up prescribed operating pressure. Observes pressure on vacuum gauges and adjusts controls to insure proper operation. Tests joints and connections for gas leaks, using gauges or soap-and water solution. Wraps pipes in insulation batting and secures them in place with cement or wire bands. Replaces defective breaker controls, thermostats, switches, fuses and electrical wiring to repair installed units, using electrician's hand tools and test equipment. May install, repair and service air conditioners, ranging from fifteen to twenty tons cooling capacity, in warehouses and small factory buildings.

- **Laborer**

Performs tasks which require mainly physical abilities and effort involving little or no specialized skill or prior work experience. The following tasks are typical of this occupation: Loads and unloads trucks, and other conveyances; moves supplies and materials to proper location by wheelbarrows or hand trucks; stacks materials for storage or binning; collects refuse and salvageable materials. Digs, fills, and tamps earth excavations; levels ground using pick, shovel, tamper and rake; shovels concrete and snow; cleans culverts and ditches; cuts tree and brush; operates power lawnmowers. Moves and arranges heavy pieces of office and household furniture, equipment, and appliances; moves heavy pieces of automotive, medical engineering, and other types of machinery and equipment. Spreads sand and salt on icy roads and walk-ways; picks up leaves and trash.

- **Locksmith**

Installs, repairs, modifies, and opens a variety of locking mechanisms found on doors,

desks, compartments, mobile equipment, safes, and vaults. Examines locking mechanism and installs new unit or disassembles unit and replaces worn tumblers, springs, and other parts or repairs them by filing, drilling, chiseling and grinding. Opens door locks by moving lockpick in cylinder or opens safe locks by listening to lock sounds or by drilling. Makes new or duplicate keys, using key cutting machine. Changes combination by inserting new or repaired tumblers into lock. Establishes keying systems for buildings.

- **Painter, Maintenance**

Paints and redecorates walls, woodwork and fixtures. Work involves the following: Knowledge of surface peculiarities and types of paint required for different applications; preparing surface of painting by removing old finish or by placing putty or filler in nail holes and interstices; and applying paint with spray gun or brush. May mix colors, oils, white lead and other paint ingredients to obtain proper color or consistency. In general, the work of the maintenance painter requires rounded training and experience usually acquired through a formal apprenticeship or equivalent training and experience.

- **Pipefitter, Maintenance**

Installs or repairs water, steam, gas or other types of pipe and pipefittings. Work involves most of the following: Laying out work and measuring to locate position of pipe from drawings or other written specifications; cutting various sizes of pipe to correct lengths with chisel and hammer, oxyacetylene torch or pipe-cutting machines; threading pipe with stocks and dies, bending pipe by hand-driven or power-driven machines; assembling pipe with couplings and fastening pipe to hangers; making standard shop computations relating to pressures, flow and size of pipe required; and making standards tests to determine whether finished pipes meet specifications. In general, the work of the maintenance pipefitter requires rounded training and experience usually acquired through a formal apprenticeship or equivalent training and experience. Workers primarily engaged in installing and repairing building sanitation or heating systems are excluded.

- **Plumber, Maintenance**

Assembles, installs and repairs pipes, fittings and fixtures of heating, water, and drainage systems, according to specifications and plumbing codes. Studies building plans and working drawings to determine work aids required and sequence of installations. Inspects structure to ascertain obstructions to be avoided to prevent weakening of structure resulting from installation of pipe. Locates and marks position of pipe and pipe connections and passage holes for pipes in walls and floors, using ruler, spirit level and plumb bob. Cuts openings in walls and floors to accommodate pipe and pipe fittings, using hand tools and power tools. Cuts and threads pipe, using pipe cutters, cutting torch, and pipe-threading machine. Bends pipe to required angle by use of pipe-bending machine or by placing pipe over block and bending it by hand. Assembles and installs valves, pipe fittings, and pipes composed of metals, such as iron, steel, brass and lead, and nonmetals, such as glass, vitrified clay, and plastic, using hand tools and power tools. Joins pipe by use of screws, bolts, fittings, solder, plastic solvent, and calks joints. Fills pipe system with water or air and reads pressure gauges to

determine whether system is leaking. Installs and repairs plumbing fixtures, such as sinks, commodes, bathtubs, water heaters, hot water tanks, garbage disposal units, dishwashers, and water softeners. Repairs and maintains plumbing by replacing washers in leaky faucets, mending burst pipes, and opening clogged drains. May weld holding fixtures to steel structural members.

- **Sheet-Metal Worker, Maintenance**

Fabricates, installs and maintains in good repair the sheet-metal equipment and fixtures (such as machine guards, grease pans, shelves, lockers, tanks, ventilators, chutes, ducts, metal roofing) of an establishment. Work involves most of the following: Planning and laying out all types of sheet-metal maintenance work from blueprints, models, or other specifications; setting up and operating all available types of sheet-metal working machines; using a variety of hand tools in cutting, bending, forming, shaping, fitting and assembling; and installing sheet-metal articles as requires. In general, the work of the maintenance sheet-metal worker requires rounded training and experience usually acquired through a formal apprenticeship or equivalent training and experience.

## **Furniture Maintenance and Repair Occupations**

- **Furniture Handler**

Assists one or more electrostatic spray painters in repainting furniture by performing specific or general duties of lesser skill. Moves materials or furniture to work areas, using hand truck or dolly. Cleans surfaces of articles to be painted. The Furniture Handler is confined to supplying lifting, holding materials and tools, and cleaning working areas.

## **Laundry, Dry Cleaning, Pressing, and Related Occupations**

This category includes occupations concerned with receiving, sorting, washing, drying, Dry-cleaning, dyeing, pressing, and preparing for delivery of clothes, linens, and other articles requiring laundering, dry-cleaning or pressing; and with modifying and repairing clothing and equipment, using hand tools, machines, and other devices to fit, cut, sew, rivet, assemble and attach findings to articles such as belts, brief cases, bags, gun covers, hats, rainwear, tents, and uniforms.

- **Assembler (Assorter; Distributor; Matcher; Sorter)**

Sorts or assembles the various dry-cleaned or laundered garments and other items of each customer's order, matching the articles according to description and identifying number as shown by plant records.

- **Counter Attendant (Service Establishment Attendant)**

Receives articles, such as shoes and clothing, to be repaired or cleaned, in personal-service establishment. Examines articles to determine nature of repair and advises customer of repair needed. Quotes prices and prepares work ticket. Sends articles to work department. Returns to finished articles to customer and collects amount due.

May keep records of cash receipts and articles received and delivered. May sell articles, such as cleaner, polish, shoelaces, and accessories.

- **Dry Cleaner**

Operates a dry-cleaning machine to clean garments, drapes, and other articles. Work involves most of the following: Knowledge of cleaning processes, fabrics, and colors; placing sorted articles in drum of cleaning machine; operating valves to admit cleaning fluids into drum of machine; starting drum rotating, allowing it to rotate until articles are cleaned and removing articles are cleaned and removing articles from machine; and draining and filtering cleaning fluid. May, in addition, operate an extractor, tumbling machine, or place articles in a cabinet dryer.

- **Presser, Hand**

Presses articles, such as drapes, knit goods, millinery parts, garments, and slip covers, or delicate textiles, such as lace, synthetics and silks to remove wrinkles, flatten seams, and give shape to article, using hand iron. Places article in position on ironing board or worktable. Smooths and shapes fabric prior to pressing. Sprays water over fabric to soften fibers when not using steam iron. Adjusts temperature of iron, according to type of fabric, and uses covering cloths to prevent scorching or to avoid sheen on delicate fabrics. Pushes and pulls iron over surfaces of article, employing knowledge relevant to pressing different types of fabrics. Pushes and pulls iron over surfaces of article, employing knowledge relevant to pressing different types of fabrics. Fits odd-shaped pieces which cannot be pressed flat over puff iron. May pin, fold, and hang article after pressing.

- **Presser, Machine, Dry-Cleaning**

Smooths the surfaces of garments, slip covers, drapes, and other shaped-fabric articles with a pressing machine to shape the articles, remove wrinkles, and to flatten seams. May operate two presses, loading one while the other is closed.

- **Presser, Machine, Shirts**

Operates or tends the operation of one or more of the several types of machines that press shirts. Performs such shirt pressing operations as body pressing, bosom pressing, collar and cuff pressing, and/or sleeve pressing.

- **Presser, Machine, Wearing Apparel, Laundry**

Operates machine to press family wearing apparel (T-shirts, socks, shorts, and so forth) or uniforms and coats from linen supply and commercial accounts. May fold and stack finished work or hang garments on rack. Shirt pressers are not to be included in this occupation.

- **Washer, Machine (Washman)**

Operates one or more washing machines to wash household linens, garments, curtains, drapes, and other articles. Work involves the following: Manipulating valves, switches, and levers to start and stop the machine and to control the amount and temperature of water for the sudsing and rinsing of each batch; mixing and adding soap, bluing and

bleaching solutions; loading and unloading the washing machine, if not done by loaders or unloaders (pullers). May make minor repairs to washing machine.

## **Plant and System Operation Occupations**

- **Boiler Tender**

Tends one or more boilers to produce steam or high-temperature water for use in an establishment. Fires boiler Observes and interprets readings on gauges, meters, and charts which register various aspects of boiler operation. Adjusts controls to insure safe and efficient boiler operation and to meet demands for steam or high-temperature water. May also do one or more of the following: Maintain a log in which various aspects of boiler operation are recorded; clean, oil, make minor repairs or assist in repair to boiler room equipment; and following prescribed methods, treat boiler water with chemicals and analyze boiler water for such things as acidity, causticity, and alkalinity.

- **Stationary Engineer**

Operates and maintains one or more systems which provide an establishment with such services as heat, air-conditioning (cool, humidify, dehumidify, filter, and circulate air), refrigeration, steam or high-temperature water or electricity. Duties involve: Observing and interpreting readings on gauges, meters and charts which register various aspects of the system's operation, adjusting controls to insure safe and efficient operation; keeping the engines, machinery and equipment of the system in good working order. May direct and coordinate activities of other workers (not stationary engineers) in performing tasks directly related to operating and maintaining the system or systems. The classification excludes head or chief engineers in establishments employing more than one engineer; workers required to be skilled in the repair of electronic control equipment; workers in establishments producing electricity, steam, or heated or cooled air primarily for sale; and Boiler Tenders.

- **Ventilation Equipment Tender**

Tends ventilating and heating equipment, such as fans, vacuum pumps, air compressors, vents and ducts, and lubrication-oil coolers used in buildings or industrial processes: Adjusts valves to regulate temperature of lubrication oil and flow of water through system. Moves controls to regulate speed of fans and to adjust vents and ducts. records gauge readings, repairs completed, and time lost because of inoperative equipment. Writes repair work order tickets and out-of-order tags preparatory to equipment repair,. Inspects equipment to detect excessive noise and heat. Replaces gauges and tightens and chucks leaky fittings, using wrenches, hammers, and chalking tool. Cleans carbon deposits, pitch, and grease from fans, vents and ducts, using scrapers, hammer, and compressed air or steam.

## **Transportation/Mobile Equipment Operation Occupations**

- **Parking and Lot Attendant**

Operates daily activity in a parking lot. Checks vehicles in and out of lot. May be required to move and/or park vehicles. Controls authorized entry and use of lot. Refers parking related problems arising within the facility to appropriate authorities for administrative action, ticketing or other law enforcement activity deemed warranted.

- **Truck Driver and Snowplow Driver, Heavy Truck, Bobcat and Front End Loader**

Straight truck, over 4 tons, usually 10 wheels

- **Truck Driver and Snowplow Driver, Light Truck**

Straight truck, under 1 1/2 tons, usually 4 wheels

- **Truck Driver and Snowplow Driver, Medium Truck**

Straight truck, 1 1/2 to 4 tons inclusive, usually 6 wheels

**CONNECTICUT DEPARTMENT OF LABOR**  
**Standard Wage Rate Determination for Certain Service Workers**  
*(As required by law please submit requests within ten (10) days of the date advertised for bid.)*

*To receive service contract rates please fill out this form and mail to:*

Connecticut Department of Labor  
Wage & Workplace Standards Division  
Attention: Holly Carter  
200 Folly Brook Blvd.  
Wethersfield, CT 06109  
Telephone Number 860.263.6549  
Fax Number 860.263.6541

*or you can request service contract rates through our website:*  
**[www.ctdol.state.ct.us/wgwkstnd/forms/stdwgrate.htm](http://www.ctdol.state.ct.us/wgwkstnd/forms/stdwgrate.htm)**

State Agent:

Contract Name and Number (If Applicable):

Location of Work Being Performed:

Contract Description:

Duration of Contract: Start Date:

End Date:

Total Cost of Contract:

Date Advertised to Bid:

Mail\_\_\_\_Pick-Up\_\_\_\_ Or Email (provide email address) \_\_\_\_\_

Name, Address, And Telephone Number of Person Requesting Standard Wage Rates:



Project: SAMPLE

**Standard Wage Rates Determination  
for Certain Service Workers**

S 12865

**Connecticut Department of Labor  
Wage and Workplace Standards Division**

By virtue of the authority vested in the Labor Commissioner under provisions of Connecticut General Statutes, Section 31-57f, as amended by Public Act 09-183 the following have been determined to be the minimum rates for each classification adopted from the federal Register of Wage Determinations under the Service Contract Act, Title 29, Part 4 plus benefit rate to cover the cost of any health, welfare, and retirement plans.

Project Number: SAMPLE

Town: New Haven

Project: SAMPLE

OCCUPATIONAL TITLE	Minimum Hourly Rate	Benefit Rate
Assembler	\$9.86	2.96
Baker	\$16.75	5.03
Bartender	\$10.01	3.01
Boiler Tender	\$28.06	8.42
Busperson	\$8.00	2.40
Carpenter, Maintenance	\$29.52	8.86
Cashier	\$10.53	3.16
Cleaner, Heavy** Hired after July 1, 2009	\$12.80	4.11 + a
Cleaner, Light** Hired after July 1, 2009	\$12.50	4.11 + a
Cleaner, Vehicles	\$11.25	3.38

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

Cook I	\$14.50	4.35
Cook II	\$15.68	4.71
Counter Attendant	\$9.86	2.96
Dishwasher	\$9.74	2.92
Dry Cleaner	\$12.07	3.63
Electrician, Maintenance	\$36.84	11.05
Elevator Operator	\$11.25	3.38
Fast Food Shift Leader	\$8.57	2.57
Fast Food Worker	\$8.00	2.40
Food Service Worker	\$12.33	3.69
Furniture Handler ~ Hired prior to July 1, 2009	\$16.46	4.11 + a
Furniture Handler**Hired after July 1, 2009	\$12.90	4.11 + a
Gardner	\$17.87	5.37
General Maintenance Worker	\$24.67	7.41
Hostess	\$9.62	2.89
Housekeeping Aide	\$15.05	4.52

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

HVAC	\$25.29	7.59
Janitor* ~ Hired prior to July 1, 2009	\$15.70	4.11 + a
Janitor** Hired after July 1, 2009		N/A
Laborer**Hired after July 1, 2009		N/A
Laborer*Hired prior to July 1, 2009		N/A
Laborer, Grounds Maintenance* Hired prior to July 1, 2009		N/A
Laborer, Grounds Maintenance** Hired after July 1, 2009		N/A
Locksmith	\$24.65	7.40
Maid or Houseman	\$13.68	4.10
Meat Cutter	\$19.00	5.70
Painter, Maintenance	\$25.03	7.51
Parking Lot Attendant	\$10.44	3.14
Pest Controller	\$16.68	5.01
Pipefitter, Maintenance	\$29.16	8.75
Plumber, Maintenance	\$29.85	8.96
Presser, Hand	\$9.86	2.96

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

Presser, Machine, Drycleaning	\$9.86	2.96
Presser, Machine, Shirts	\$9.86	2.96
Presser, Machine, Wearing Apparel, Laundry	\$9.86	2.96
Refuse Collector	\$16.69	5.01
Sheet Metal Worker, Maintenance	\$24.10	7.23
Stationary Engineer	\$28.06	8.42
Tractor Operator	\$16.09	4.83
Truck Driver and Snowplow Driver, Heavy Truck - Straight truck, over 4 tons, usually 10 wheels	\$23.80	7.14
Truck Driver and Snowplow Driver, Light Truck - Straight truck, under 1 1/2 tons, usually 4 wheels	\$16.88	5.07
Truck Driver and Snowplow Driver, Medium Truck - Straight truck, 1 1/2 to 4 tons inclusive, usually 6 wheels	\$19.73	5.92
Vending Machine Attendant	\$16.54	4.97
Ventilation Equipment Tender	\$23.56	7.07
Waiter/Waitress	\$9.99	3.00
Washer, Machine	\$10.40	3.12
Window Cleaner ~ Hired prior to July 1, 2009	\$16.57	4.11 + a
Window Cleaner** Hired after July 1, 2009	\$16.83	4.11 + a

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

\* Pursuant to Public Act 09-183 any grounds maintenance laborer or laborer hired prior to July 1, 2009 shall be classified as a janitor.

\*\* Pursuant to Public Act 09-183, any grounds maintenance laborer, laborer or janitor hired after July 1, 2009 shall be classified as a light cleaner, heavy cleaner, furniture handler or window cleaner as appropriate.

**~FOOTNOTES~**

Health and Welfare to be \$4.11 per hour on July 1, 2009 and increases to \$4.32 per hour on January 1, 2010.

a. Vacation, holiday, and personal days to be determined by seniority based on the collective bargaining agreement covering the largest member of hourly non-supervisor employees employed within Hartford County (estimated to be an average of \$1.08 per hour and \$1.10 per hour on January 1, 2010).

**Please direct any questions which you may have pertaining to this matter to the Wage and Workplace Standards Division, telephone (860)263-6790.**

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

**Standard Wage Rates Determination  
for Certain Service Workers**

S 12865

**Connecticut Department of Labor  
Wage and Workplace Standards Division**

By virtue of the authority vested in the Labor Commissioner under provisions of Connecticut General Statutes, Section 31-57f, as amended by Public Act 09-183 the following have been determined to be the minimum rates for each classification adopted from the federal Register of Wage Determinations under the Service Contract Act, Title 29, Part 4 plus benefit rate to cover the cost of any health, welfare, and retirement plans.

Project Number: SAMPLE

Town: Hartford

Project: SAMPLE

OCCUPATIONAL TITLE	Minimum Hourly Rate	Benefit Rate
Assembler	\$9.70	2.91
Baker	\$13.25	3.98
Bartender	\$9.52	2.86
Boiler Tender	\$26.64	7.99
Carpenter, Maintenance	\$21.98	6.59
Cashier	\$9.93	2.98
Cleaner, Heavy** Hired after July 1, 2009	\$12.80	4.11 + a
Cleaner, Light** Hired after July 1, 2009	\$12.50	4.11 + a
Cleaner, Vehicles	\$11.34	3.40
Cook I	\$13.79	4.14

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

Cook II	\$15.02	4.51
Counter Attendant	\$9.70	2.91
Dishwasher	\$10.14	3.05
Dry Cleaner	\$12.30	3.69
Electrician, Maintenance	\$26.01	7.80
Elevator Operator	\$12.12	3.64
Fast Food Shift Leader	\$8.57	2.57
Fast Food Worker	\$8.00	2.40
Food Service Worker	\$11.14	3.35
Furniture Handler ~ Hired prior to July 1, 2009	\$13.89	4.11 + a
Furniture Handler**Hired after July 1, 2009	\$12.90	4.11 + a
Gardner	\$16.01	4.80
General Maintenance Worker	\$18.70	5.61
Housekeeping Aide	\$12.12	3.64
HVAC	\$23.58	7.07
Janitor* ~ Hired prior to July 1, 2009	\$14.48	4.11 + a

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

Janitor** Hired after July 1, 2009		N/A
Laborer**Hired after July 1, 2009		N/A
Laborer*Hired prior to July 1, 2009		N/A
Laborer, Grounds Maintenance* Hired prior to July 1, 2009		N/A
Laborer, Grounds Maintenance** Hired after July 1, 2009		N/A
Locksmith	\$23.17	6.96
Maid or Houseman	\$10.74	3.22
Meat Cutter	\$19.36	5.81
Painter, Maintenance	\$20.27	6.08
Parking Lot Attendant	\$10.21	3.06
Pest Controller	\$15.45	4.63
Pipefitter, Maintenance	\$24.90	7.47
Plumber, Maintenance	\$23.50	7.05
Presser, Hand	\$9.70	2.91
Presser, Machine, Drycleaning	\$9.70	2.91
Presser, Machine, Shirts	\$9.70	2.91

*As of:* Wednesday, October 07, 2009



Project: SAMPLE

Presser, Machine, Wearing Apparel, Laundry	\$9.70	2.91
Refuse Collector	\$13.86	4.15
Sheet Metal Worker, Maintenance	\$23.25	6.98
Stationary Engineer	\$26.64	7.99
Tractor Operator	\$15.05	4.52
Truck Driver and Snowplow Driver, Heavy Truck - Straight truck, over 4 tons, usually 10 wheels	\$20.64	6.19
Truck Driver and Snowplow Driver, Light Truck - Straight truck, under 1 1/2 tons, usually 4 wheels	\$14.97	4.50
Truck Driver and Snowplow Driver, Medium Truck - Straight truck, 1 1/2 to 4 tons inclusive, usually 6 wheels	\$18.94	5.68
Vending Machine Attendant	\$13.65	4.10
Ventilation Equipment Tender	\$20.59	6.18
Waiter/Waitress	\$10.42	3.13
Washer, Machine	\$10.56	3.17
Window Cleaner ~ Hired prior to July 1, 2009	\$14.62	4.11 + a
Window Cleaner** Hired after July 1, 2009	\$16.83	4.11 + a

*As of:* Wednesday, October 07, 2009

Project: SAMPLE

\* Pursuant to Public Act 09-183 any grounds maintenance laborer or laborer hired prior to July 1, 2009 shall be classified as a janitor.

\*\* Pursuant to Public Act 09-183, any grounds maintenance laborer, laborer or janitor hired after July 1, 2009 shall be classified as a light cleaner, heavy cleaner, furniture handler or window cleaner as appropriate.

**~FOOTNOTES~**

Health and Welfare to be \$4.11 per hour on July 1, 2009 and increases to \$4.32 per hour on January 1, 2010.

a. Vacation, holiday, and personal days to be determined by seniority based on the collective bargaining agreement covering the largest member of hourly non-supervisor employees employed within Hartford County (estimated to be an average of \$1.08 per hour and \$1.10 per hour on January 1, 2010).

**Please direct any questions which you may have pertaining to this matter to the Wage and Workplace Standards Division, telephone (860)263-6790.**

# **Quick Reference to Standard Wage Rates for Certain Service Workers**

## **Sample Requests for Standard Wage Rates**

- Property Management Services At Franklin Square
- Personal Service Agreement At Nathan Hale Hall
- Operate And Maintain The Central Utility Plant At The Conn. Convention Center
- Field Maintenance At Southern Connecticut State University
- Janitorial Services For The DDS Lower Fairfield Center
- Parking Management Services At University of Connecticut
- Landscaping At Southern Connecticut State University
- Recycling Services For Southern Connecticut State University
- Field Maintenance At Southern Connecticut State University
- Janitorial Services For The DDS Lower Fairfield Center
- Custodial Services At University of Connecticut
- Window Cleaning Services At The State Capitol Facilities
- Electrical Services At Southern Connecticut State University
- Snow Removal At Central Connecticut State University
- Food Services At Southern Connecticut State University
- Snow Removal At DMR North Region Group Homes
- Custodial Services For DOT Facility Landscape
- Services At West Hartford Campus At University of Connecticut
- Cafeteria Kitchen Equipment Inspection, Maintenance And Repair
- Sweeping/Cleaning Services For Parking Garages At Southern Conn. State University
- General Maintenance Worker At Nine Windsor Avenue
- Snow And Ice Removal At The State Capitol
- Facilities Property Management At 112 Broad Street
- Maintenance, Testing, Inspection And Additions Of Security Systems For CVH
- Landscaping Services At Southern Connecticut State University
- Grounds Maintenance At The Altobello Campus
- Property Management Services For A Parking Garage Located At 315 Buckingham Street
- Emergency Generator Maintenance At The Legislative Office Building
- Landscaping Services For Three DPW Properties
- Carpentry Services At Manchester Community College
- HVAC Services At Manchester Community College
- Cafeteria, Cafe And Vending Services At Manchester Community College
- Window Cleaning At The State Capitol Complex

In accordance with Connecticut General Statute, Section 31-57f  
 Certified Payrolls with a statement of compliance  
 shall be submitted monthly to the contracting state agent upon request.

# **PAYROLL CERTIFICATION FOR COVERED SERVICE WORKER CONTRACTS**

Connecticut Department of Labor  
 Wage and Workplace Standards Division  
 200 Folly Brook Blvd.  
 Wethersfield, CT 06109

## **WEEKLY PAYROLL**

REQUIRED EMPLOYER/CONTRACTOR NAME AND ADDRESS:										CONTRACTING STATE AGENT/STATE AGENCY:					TERM OF CONTRACT:					
PAYROLL NUMBER		WEEK-ENDING DATE		CONTRACT DESCRIPTION AND BID NUMBER:																
EMPLOYEE NAME AND ADDRESS		MALE/ FEMALE AND RACE*	WORK CLASSIFICATION	DAY AND DATE							S-TIME	BASE HOURLY RATE	TYPE OF FRINGE BENEFITS Per Hour 1 through 6 (see back)	GROSS PAY FOR ALL WORK PERFORMED THIS WEEK	TOTAL DEDUCTIONS				GROSS PAY FOR THIS SERVICE CONTRACT JOB	CHECK # AND NET PAY
				S	M	T	W	TH	F	S					FICA	FEDERAL	STATE	OTHER		
				HOURS WORKED EACH DAY							O-TIME	TOTAL FRINGE BENEFIT PLAN CASH								
												S-Time:	\$ 1. \$							
													\$ 2. \$							
												O-Time:	\$ 3. \$							
													\$ 4. \$							
													\$ 5. \$							
													\$ 6. \$							
												S-Time:	\$ 1. \$							
													\$ 2. \$							
												O-Time:	\$ 3. \$							
													\$ 4. \$							
													\$ 5. \$							
													\$ 6. \$							
												S-Time:	\$ 1. \$							
													\$ 2. \$							
												O-Time:	\$ 3. \$							
													\$ 4. \$							
													\$ 5. \$							
													\$ 6. \$							
												S-Time:	\$ 1. \$							
													\$ 2. \$							
												O-Time:	\$ 3. \$							
													\$ 4. \$							
													\$ 5. \$							
													\$ 6. \$							

\*IF REQUIRED

\*SEE REVERSE SIDE

PAGE NUMBER OF

**\*Fringe Benefits Explanation (P):**

Bona fide benefits paid to approved plans, funds or programs, except those required by Federal or State Law (unemployment tax, worker's compensation, income taxes, etc.)

Please specify the type of benefits provided:

- 1) Medical or hospital care \_\_\_\_\_
- 2) Pension or retirement \_\_\_\_\_
- 3) Life Insurance \_\_\_\_\_
- 4) Disability \_\_\_\_\_
- 5) Vacation, holiday \_\_\_\_\_
- 6) Other (please specify) \_\_\_\_\_

**CERTIFIED STATEMENT OF COMPLIANCE**

For the week ending date of \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_ (hereafter known as  
Employer) in my capacity as \_\_\_\_\_ (title) do hereby certify and state:

All persons employed on said project have been paid the full weekly wages earned by them during the week in accordance with Connecticut General Statute Section 31-57f. Further, I hereby certify and state the following:

- A) The records submitted are true and accurate;
- B) The rate of wages paid to each employee is not less than the standard rate of wages as determined by the Labor Commissioner pursuant to section (e);
- C) The Employer has complied with all of the provisions of Section 1, and
- D) The employer is aware that filing a certified payroll which it knows to be false is a class D felony for which the employer may be fined up to five thousand dollars. imprisoned for up to five years or both.

Submitted on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

**\*\*\*THIS IS A PUBLIC DOCUMENT\*\*\***

**\*\*\*DO NOT INCLUDE SOCIAL SECURITY NUMBERS\*\*\***

## WEEKLY PAYROLL CERTIFICATION

## PAYROLL CERTIFICATION FOR COVERED SERVICE WORKER CONTRACTS

WEEK-ENDING DATE:

## WEEKLY PAYROLL

EMPLOYEE NAME AND ADDRESS	MALE/ FEMALE AND RACE*	WORK CLASSIFICATION	DAY AND DATE							S-TIME	BASE HOURLY RATE	TYPE OF FRINGE BENEFITS Per Hour 1 through 6 (see back)	GROSS PAY FOR ALL WORK PERFORMED THIS WEEK	TOTAL DEDUCTIONS				GROSS PAY FOR THIS SERVICE CONTRACT JOB	CHECK # AND NET PAY
			S	M	T	W	TH	F	S					FICA	FEDERAL WITH- HOLDING	STATE WITH- HOLDING	OTHER		
			HOURS WORKED EACH DAY																
										S-Time:	\$	1. \$							
										O-Time:	Base Rate	2. \$							
												3. \$							
												4. \$							
												5. \$							
											Cash Fringe	6. \$							
										S-Time:	\$	1. \$							
										O-Time:	Base Rate	2. \$							
												3. \$							
												4. \$							
												5. \$							
											Cash Fringe	6. \$							
										S-Time:	\$	1. \$							
										O-Time:	Base Rate	2. \$							
												3. \$							
												4. \$							
												5. \$							
											Cash Fringe	6. \$							
										S-Time:	\$	1. \$							
										O-Time:	Base Rate	2. \$							
												3. \$							
												4. \$							
												5. \$							
											Cash Fringe	6. \$							

\*IF REQUIRED

In accordance with Public Act 99-142  
 Certified Payrolls with a statement of compliance  
 shall be submitted monthly to the contracting state agent upon request.

# PAYROLL CERTIFICATION FOR COVERED SERVICE WORKER CONTRACTS

Connecticut Department of Labor  
 Wage and Workplace Standards Division  
 200 Folly Brook Blvd.  
 Wethersfield, CT 06109

## WEEKLY PAYROLL

REQUIRED EMPLOYER/CONTRACTOR NAME AND ADDRESS:

ABC Rubbish Removal Services  
 200 Main Street  
 Shelton, CT 06484

CONTRACTING STATE AGENT/STATE AGENCY:

Department of Transportation  
 P.O. Box 317546  
 Newington, CT 06131-7546

TERM OF CONTRACT:

July 1, 2000 - July 1, 2001

PAYROLL NUMBER	WEEK-ENDING DATE	CONTRACT DESCRIPTION AND BID NUMBER:	DAY AND DATE							S-TIME	BASE HOURLY RATE	TOTAL FRINGE BENEFITS (C=CASH) (P=PLAN)	GROSS PAY FOR ALL WORK PERFORMED THIS WEEK	TOTAL DEDUCTIONS				GROSS PAY FOR SERVICE CONTRACT JOBS		
			S	M	T	W	TH	F	S					FICA	WITH- HOLDING	WITH- HOLDING	OTHER			
1	07/29/2000	Rubbish Removal Service Statewide																		
			23	24	25	26	27	28	29											
			HOURS WORKED EACH DAY							O-TIME										
Jack Daniels 23 Hale Street Ansonia, CT 06401		Refuse Collector		8	8	8	8	10		40	\$9.29	C= 2.79	\$516.65	XX	XX	XX	XX	\$516.65		
										2		P=								
George Smith 290 Maple Drive Shelton, CT 06484		Refuse Collector		8	8	8	8	8		40	\$9.29	C=								
												P= 2.79	\$434.47	XX	XX	XX	XX	\$371.60		
Sally McCarthy 105 North Road Derby, CT 06418		Refuse Collector		7	9	8	10	8		40	\$9.29	C= 1.00	\$441.47	XX	XX	XX	XX	\$441.47		
										2		P= 1.79								
Hal Morris 30 Lyndale Street Derby, CT 06418		Refuse Collector		8	8			8		24	\$9.29	C=								
												P= 2.79	\$342.96	XX	XX	XX	XX	\$222.96		
												C=								
												P=								

03/01/2000

\*IF REQUIRED

\*SEE REVERSE SIDE

PAGE NUMBER \_\_\_\_ OF

**\*Fringe Benefits Explanation (P):**

Bona fide benefits paid to approved plans, funds or programs, except those required by Federal or State Law (unemployment tax, worker's compensation, income taxes, etc.)

Please specify the type of benefits provided:

- 1) Medical or hospital care X
- 2) Pension or retirement \_\_\_\_\_
- 3) Life Insurance X
- 4) Disability \_\_\_\_\_
- 5) Vacation, holiday X
- 6) Other (please specify) \_\_\_\_\_

**CERTIFIED STATEMENT OF COMPLIANCE**

For the week ending date of July 29, 2000

I, Alan Bates of ABC Rubbish (hereafter known as  
Employer) in my capacity as President (title) do hereby certify and state:

All persons employed on said project have been paid the full weekly wages earned by them during the week in accordance with Public Act 99-142. Further, I hereby certify and state the following:

- A) The records submitted are true and accurate;
- B) The rate of wages paid to each employee is not less than the standard rate of wages as determined by the Labor Commissioner pursuant to section (e) of P.A. 99-142;
- C) The Employer has complied with all of the provisions of P.A. 99-142, Section 1, and
- D) The employer is aware that filing a certified payroll which he knows to be false is a class D felony for which the employer may be fined up to five thousand dollars. imprisoned for up to five years or both.

Submitted on 8/25/00  
(Date)

Alan Bates  
(Signature)

President  
(Title)

**\*\*\*THIS IS A PUBLIC DOCUMENT\*\*\***  
**\*\*\*DO NOT INCLUDE SOCIAL SECURITY NUMBERS\*\*\***



# **Quick Reference to Standard Wage Rates for Certain Service Workers**

## **How to Calculate Fringe Benefits**

### **Discharging Fringe Benefit Obligations Under the Public Service Contract Act**

In order to meet their obligation under Public Act 99-142, employers are allowed to pay the fringe benefit portion of the prevailing wage rate in cash, by incurring costs for bona fide fringe benefits or by a combination of cash and benefits.

An employer can pay less than the required, minimum hourly wages as long as the hourly rate plus the fringe benefit provided equals the total wage required.

In order to receive credit, the employer must provide bona fide benefits and those common to the specific industry. No credit can be taken for any benefit required by law (e.g, social security contributions or workers compensations, etc.).

An employer may take credit for the annual cost of a benefit by converting the costs to an hourly cash equivalent (annual cost of fringe benefit divided by total number of hours worked in the year). If the cost of a benefit varies per employee, the credit must be individually determined.

Employees excluded from a benefit plan for whom the employer makes no contribution or incurs no cost must be paid in cash or furnished other bona fide fringe benefits equal in monetary value. If the plan requires contributions to be made during eligibility waiting period, credit may be taken. No credit is allowed for contributions for employees who by definition are not eligible to participate in the plan.

Contributions made to defined contribution pension plans (e.g. money purchase pension plans, most 401k plans, etc.) are fully credited if the plan provides for immediate participation and immediate 100% vesting. When there is no immediate vesting, credit is allowed based on the effective annual rate of contributions for all hours worked during the year (e.g. a contribution of \$2,000.00 made on behalf of a particular employee who worked a total of 2000 hours of both covered contract and noncovered private hours would result in a credit of \$1.00/hour).

If an employee is terminated before the benefit is received and the employer has taken credit toward the prevailing wage fringe benefit obligation, the employee must be paid at termination.

# Sample Calculations For Fringe Benefit Credits

**First:** Calculate the total cost of each fringe benefit provided to each employee on an annual basis.

**Second:** Annualize the cost of the benefit by dividing the total cost of the benefit provided by 2080 hours (40 hours/week x 52 weeks) to obtain the hourly fringe.

**Third:** Subtract the hourly fringe benefit credit from the benefit rate on the prevailing wage rate schedule.

**Fourth:** Any difference remaining after the value of all benefits provided is deducted is paid weekly as taxable wages in the employee's pay check.

## Example 1: EMPLOYER PAYS 100% MEDICAL INSURANCE PREMIUM:

*Monthly premium for employee: \$380.00*

*Annual cost: (\$380 x 12 months) = \$4,560.00*

*Fringe Benefit Credit: (Divide by 2080): \$2.19/hour*

Cook II prevailing wage rate: \$12.55 base +\$3.77 fringe

Fringe Benefit Credit: -2.19

Add to base wage due: \$1.58

Adjusted prevailing wage rate due: \$12.55 + \$1.58 = \$14.13/hour.

Employee's regular hourly rate: \$10.00/hour.

Weekly payroll:

Regular Rate: 16 hours x \$10.00 = \$160.00

Prevailing Rate: 24 hours x \$14.13 = \$339.12

Total Wages Due: \$499.12

---

## Example 2. EMPLOYER PAYS 50% MEDICAL INSURANCE PREMIUM:

*Monthly premium for employee: \$380.00*

*Employer's Cost: \$190.00*

*Annual cost: (\$190 x 12 Months) = \$2,280.00*

*Fringe Benefit Credit: (Divide by 2080): \$1.10/hour*

Cook II prevailing wage rate: \$12.55 base plus \$3.77 fringe

Fringe Benefit Credit: - 1.10

Add to base wages due: \$2.67

Adjusted prevailing wage rate due: \$12.55 + \$2.67 = \$15.22/hour.

Employee's regular hourly rate: \$10.00/hour.

Weekly payroll:

Regular Rate: 16 hours x \$10.00 = \$160.00

Prevailing Rate: 24 hours x \$15.22 = \$365.28

Total Wages Due: \$525.28

## Sample Calculations for Overtime

- First:** *The employee must maintain a time record that lists the daily total of hours worked in each classification, totaled daily hours worked, and weekly total hours worked. These hours must be recorded in the employee's own handwriting.*
- Second:** *The fringe benefit rate is to be paid at straight time for all hours worked, including hours in excess of 40 per week.*
- Third:** *Premium overtime, at one and one-half times the employee's average rate of pay must be paid for all hours "worked" in excess of 40 per week. The overtime premium is not paid on the fringe benefit rate.*
- Fourth:** *Average rate is determined by taking the total straight time wages and dividing by total hours worked. Premium overtime rate is one-half the average rate.*
- 

### **Example 1. EMPLOYEE WORKS ALL HOURS ON PREVAILING WAGE (No fringe benefits provided)**

Cook II prevailing wage rate:  $\$12.55 \text{ base} + \$3.77 \text{ fringe} = \$16.32$

Employee's regular hourly rate: \$10.00/hour

Weekly payroll:

Prevailing Rate Hours: Base  $45 \times \$12.55 = \$564.75$   
Fringe Benefit  $45 \times 3.77 = 169.65$   
Overtime  $(\frac{1}{2} \times 12.55 = 6.275) 5 \times 6.275 = \underline{\$31.38}$

Total Wages Due:  $\$588.72$

-----

### **Example 2. EMPLOYEE WORKS A COMBINATION OF RATE AND NON-RATE HOURS (No fringe benefits provided)**

Cook II prevailing wage rate:  $\$12.55 \text{ base} = \$3.77 \text{ fringe} = \$16.32$

Employee's regular hourly rate: \$10.00/hour.

Weekly payroll:

Regular hours:  $24 \text{ hours} \times \$10.00 = \$240.00$   
Prevailing Rate Hours: Base  $20 \times 12.55 = \$251.00$   
Fringe Benefit  $20 \times 3.77 = \$75.40$   
Overtime  $4 \times 5.58 = \underline{\$22.32}$   
Total Wages Due:  $\$588.72$

Overtime Calculations:

$\$240.00 + \$251.00 = \$491.00$  divided by 44 hours = \$11.16

Average Hourly Rate = \$11.16

Overtime Premium Rate = \$5.58 ( $\frac{1}{2}$  times \$11.16)

## CT Attorney General

### Attorney General's Opinion

**Attorney General, Richard Blumenthal**

**September 8, 2003**

Shaun B. Cashman  
Commissioner of Labor  
200 Folly Brook Blvd  
wethersfield, CT 06109

Dear Commissioner Cashman:

As you are aware, section 31-57f of the Connecticut General Statutes provides for the payment of a standard wage rate to certain service workers employed by some contractors of the State or its agents. It has come to our attention that there has been uncertainty as to whether this statute requires such employers to raise wages during the life of a contract to match the prevailing standard wage rate as that rate increases, or whether the statute only requires those employers to pay service workers at the rate that was in effect at the time the contract was executed. We conclude that the former interpretation is correct. Because you are statutorily responsible for the establishment of standard wage rates and for the enforcement of section 31-57f, we are issuing this opinion to you to assist you in monitoring state contractors' compliance with this law.

#### **Overview of Conn. Gen. Stat. § 31-57f**

Section 31-57f (hereinafter "the statute") applies to employers who enter into contracts or agreements with the state or its agents, on or after July 1, 2000, to provide food, building, property or equipment services or maintenance. Conn. Gen. Stat. § 31-57f(a) and (m). An employer who pays the state for a franchise to provide food preparation or service is also covered. Conn. Gen. Stat. § 31-57f(k). The statute only applies to contracts whose value is \$50,000 or more. Conn. Gen. Stat. § 31-57f(i).

The statute requires employers to pay their nonsupervisory employees an hourly rate that is not less than the standard wage rate established by the Labor Commissioner. Conn. Gen. Stat. § 31-57f(b). Subsection (e) of the statute provides that the Labor Commissioner must determine the standard wage rate for each covered job classification by referring to the federal Service Contract Act of 1965. The standard wage rate shall be equal to the minimum hourly rate for service workers set forth in the federal Register of Wage Determinations under the Service Contract Act plus a thirty per cent surcharge to cover the cost of benefits, if none are offered to the employees. Conn. Gen. Stat. § 31-57f(e).

State officials empowered to award state contracts are required to contact the Labor Commissioner at least ten days before advertising a contract proposal to ascertain the current standard rates of wages for the job classifications involved. Conn. Gen. Stat. § 31-57f(g). The statute also specifies that employers covered by collective bargaining agreements that call for wages and benefits reasonably related to the standard wage rate "shall not be economically disadvantaged in the bidding process, provided the collective bargaining agreement was arrived at through arms-length negotiations." Conn. Gen. Stat. § 31-57f(f).

Employers must keep detailed records documenting their compliance with the requirements of Conn. Gen. Stat. § 31-57f, and the Labor Commissioner and his staff may conduct inspections and hold hearings to investigate complaints of nonpayment of the standard rate of wages. Conn. Gen. Stat. § 31-57f(h) and (j). Employers who violate the statute may incur civil penalties. Conn. Gen. Stat. 31-57f(c) and (d). The Labor Commissioner is authorized to adopt regulations to carry out the provisions of the statute; Conn. Gen. Stat. § 31-57f(l); but none have yet been promulgated.

Guidance regarding the statute has previously been issued to state agencies by the Attorney General and the Office of Policy and Management (OPM). On July 24, 2000, the Secretary of OPM issued a memorandum reminding state agency heads to review all new contracts or contract renewals then under negotiation to assure their conformance to the new standard wage requirements of Conn. Gen. Stat. § 31-57f. On October 9, 2001, the Attorney General advised state agency heads that the standard wage rates in effect at the time of a contract's renewal, not those in effect at the time of a contract's award, applied to options to extend a contract. Because we determine that Conn. Gen. Stat. § 31-57f requires state contractors to increase employees' wages whenever the standard wage rate is increased, our conclusion fully supports both of those prior interpretations.

### **Analysis and Statutory Construction of Conn. Gen. Stat. § 31-57f**

In construing Conn. Gen. Stat. § 31-57f to determine whether it requires employers to adjust the wages paid to employees during the life of a contract to meet the current standard wage rate, we make "a reasoned search for the intention of the legislature. . . . [W]e look to the words of the statute itself, to the legislative history and circumstances surrounding its enactment, to the legislative policy it was designed to implement, and to its relationship to existing legislation and common law principles governing the same general subject matter." *State v. Courchesne*, 262 Conn. 537, 577 (2003) (internal citations omitted).<sup>1</sup>

We begin our task "with a searching examination of the language of the statute, because that is the most important factor to be considered." *Id.* The seminal provision of section 31-57f is subsection (b), which mandates:

On or after July 1, 2000, *the wages paid on an hourly basis* to any employee of a required employer in the provision of food, building, property or equipment services provided to the state pursuant to a contract or agreement with the state or any state agent, *shall be at a rate not less than the standard rate determined by the Labor Commissioner* pursuant to subsection (g) of this section.

(Emphasis added).

The General Assembly's use of the present tense in this subsection clearly indicates that employees are to receive no less than the standard wage rate in effect at the time their wages are paid to them. This subsection does *not* state that employees shall be paid at the standard rate in effect at the time a contract proposal was advertised or at the time a contract was executed. Had the General Assembly intended for employees' wages to remain at the standard rate in effect at the commencement of a contract, it could easily have articulated that limitation. *Cf. Electrical Contractors, Inc. v. Tianti*, 223 Conn. 573, 583 (1992) citing *Buonocore v. Branford*, 192 Conn. 399, 403 (1984). The language of subsection (g) of the statute further demonstrates the legislature's intent that employees must always be paid at the standard wage rate currently in effect. That subsection states in pertinent part: "The standard rate of wages on an hourly basis shall, at all times, be

considered the minimum rate for the classification for which it was established." (Emphasis added).

We also examine the legislative history of § 31-57f, because "it is not only appropriate, but necessary to consider the purpose or purposes of legislation in order to determine its meaning." *Courchesne*, 262 Conn. at 578. The legislative history of that statute, enacted as Public Act 99-142, makes clear that its primary purpose was to ensure that employers who contract with the state to provide certain kinds of services pay their employees fair wages. Representative Chris Donovan provided the following explanation of the legislation:

[T]his bill deals with the inequities and wages for janitorial [and] food service employees who are contracted by the state. When, as many people know, when our state contracts out for janitorial [and] food services, we become the lowest payer [sic] employer for this service in the state. Our bidding process forces contractors to pay the lowest wages, with little or no benefits. We pay poverty wages for working men and women. . . . This bill . . . creates a fair system to compensate our janitors.

42 Conn. H. R. Proc., pt. 9, 1999 Sess. 3184 -85 (May 27, 1999). *See also* remarks of Rep. Farr, *id.* at 3189 ("[T]he McDonald's . . . on the Connecticut Turnpike would be subject to paying *prevailing* wages")(emphasis added) and Rep. Googins, *id.* at 3225 (observing that employers other than those contracting with the State are "paying people with these jobs between nine and eleven dollars an hour, plus benefits. And the State of Connecticut should do the same.") Speaking before the Senate, Senator Sullivan commented that the bill "sets a basic, reasonable living wage for all contracts in the state." 42 Conn. S. Proc., pt. 6, 1999 Sess. 2073 (May 19, 1999). Interpreting § 31-57f(b) to permit employers to freeze wages at the standard rate initially applicable to a contract would not only contravene the plain language of that subsection, but would also defeat the legislators' expressed intent of maintaining parity between state contractors and private contractors in the payment of wages for certain types of services.

We therefore advise you that the standard rate of wages to be paid pursuant to Conn. Gen. Stat. § 31-57f is the current rate, rather than the rate in effect at the time the contract was made. We also recommend that regulations be adopted, pursuant to subsection (I) of the statute, to facilitate state contractors' compliance with its mandates.

Very truly yours,

RICHARD BLUMENTHAL  
ATTORNEY GENERAL

Heather J. Wilson  
Assistant Attorney General

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<sup>1</sup>On October 1, 2003, 2003 Conn. Pub. Acts No. 03-154 takes effect. Public Act 03-154 provides that "[t]he meaning of a statute shall, in the first instance, be ascertained from the text of the statute itself and its relationship to other statutes. If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered." Applying this approach to the present case, in lieu of

the approach set forth in Courchesne, does not change our construction of § 31-57f. This is because, as discussed below, the meaning of § 31-57f, as evidenced by its language, is plain and unambiguous and compels the conclusion that we reach herein – namely, that the standard wage rate that a state contractor must pay to its employees pursuant to § 31-57f is the current rate, rather than the rate in effect at the time that the contract was made. Moreover, even if the language of § 31-57f were ambiguous, and resort to extratextual evidence were therefore necessary to ascertain its meaning, the legislative history of § 31-57f, as explained above, would support this construction. Thus, regardless of whether § 31-57f is construed pursuant to the approach set forth in Courchesne or in Public Act 03-154, our conclusion is the same.

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[Back to the 2003 Opinions Page](#)  
[Back to Opinions Page](#)

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## CT Attorney General

### Attorney General's Opinion

**Attorney General, Richard Blumenthal**

**October 17, 2005**

Commissioner Shaun B. Cashman  
Department of Labor  
Wethersfield, CT 06109

Dear Commissioner Cashman:

Your department has asked for advice on the payment of wages to service workers employed by contractors of the state or vendors supplying services to state contractors. You ask if the standard wage rate provisions of Conn. Gen. Stat. § 31-57f apply to the contracts between the state and management companies and between management companies and their vendors under various scenarios.

Your request for this advice is prompted by requests for guidance to the Labor Department from the Department of Public Works and the Judicial Department. DPW has asked your department whether Conn. Gen. Stat. § 31-57f applies to contracts between a management company and its vendors if the contract between the state and the management company exceeds \$49,999 per year, but the contracts between the management company and its vendors do not exceed \$49,999 per year. DPW also asks whether the statute applies if DPW contracts directly with multiple vendors to provide services at the same location, as opposed to contracting with a management company, if each of the vendor contracts is less than \$49,999 per year, but the aggregate amount for those vendor contracts exceeds \$49,999. The Judicial Department has inquired whether Conn. Gen. Stat. § 31-57f applies if a management company has multiple contracts with the state for work at the same site, if each contract is less than \$49,999 per year, but more than \$49,999 per year in the aggregate.

You have informed this office that it is the position of DOL that the statute applies to management companies and their vendors whenever a state agency spends more than \$49,999 per year for covered services under the statute at any one location. You have taken this position to ensure that state agencies and management companies under contract with the state do not circumvent the requirements of section 31-57f. You have also informed this office that the DOL Wage and Workplace Standards Division is willing to review state agency contracts for covered services on a case by case basis for compliance with Conn. Gen. Stat. § 31-57f.

We conclude that the Department of Labor has the statutory authority to interpret and enforce the provisions of Conn. Gen. Stat. § 31-57f and to ensure that the legislative directives contained in that statute are complied with by state agencies and their contractors. Conn. Gen. Stat. § 31-57f(j). Consequently, it is our opinion that the DOL has the authority to conclude, under the appropriate circumstances, that when the state enters into a contract or contracts with management companies and vendors and the aggregate expenditure at one location for covered services under Conn. Gen. Stat. § 31-57f exceeds \$49,999 per year, Conn. Gen. Stat. § 31-57f applies to the management companies and the vendors, even if the individual contracts between the state and the



management companies or between the management companies and their vendors do not exceed \$49,999 per year. The DOL may enforce the provisions of Conn. Gen. Stat. § 31-57f in those situations where it determines that multiple contracts, each less than \$49,999 per year, have been executed with the same or different contractor for the same location in an attempt to avoid the requirements of section 31-57f, if the total value of those multiple contracts exceeds \$49,999.

Conn. Gen. Stat. § 31-57f sets standards for the payment of wages by state contractors to their employees on certain service contracts. The statute applies to employers having contracts or agreements with the state or its agents in excess of \$49,999 per year to provide food, building, property or equipment service or maintenance entered into on and after July 1, 2000. Conn. Gen. Stat. § 31-57f (a), (i) and (m). An employer who pays the state for a franchise to provide food preparation or service is also covered. Conn. Gen. Stat. § 31-57f (k). Wages paid on and after July 1, 2000 on an hourly basis to any such employee shall be at a rate not less than the standard rate determined by the Labor Commissioner pursuant to Conn. Gen. Stat. § 31-57f (g) and Conn. Gen. Stat. § 31-57f (b).

The Labor Commissioner determines the standard rate for covered wages by reference to the federal Service Contract Act of 1965. Conn. Gen. Stat. § 31-57f (e). The standard rate is equal to the minimum hourly rate for service workers set forth in the federal Register of Wage Determinations under the Service Contract Act plus a thirty per cent surcharge to cover the cost of benefits if none are available. *Id.*

Section 31-57f provides in relevant part:

(a) As used in this section: (1) "Required employer" means any provider of food, building, property or equipment services or maintenance listed in this subdivision whose rate of reimbursement or compensation is determined by contract or agreement with the state or any state agent: (A) Building, property or equipment service companies; (B) management companies providing property management services; and (C) companies providing food preparation or service, or both; (2) "state agent" means any state official, state employee or other person authorized to enter into a contract or agreement on behalf of the state; (3) person means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives or organized groups of persons; and (4) "building, property or equipment service" means any janitorial, cleaning, maintenance or related service.

(b) On and after July 1, 2000, the wages paid on an hourly basis to any employee of a required employer in the provision of food, building, property or equipment services provided to the state pursuant to a contract or agreement with the state or any state agent, shall be at a rate not less than the standard rate determined by the Labor Commissioner pursuant to subsection (g) of this section ...

(i) This section shall not apply to contracts, agreements or grants which do not exceed forty-nine thousand nine hundred ninety-nine dollars per annum

The plain language of Conn. Gen. Stat. § 31-57f directs that the provisions of the

statute apply whenever employment results from a state contract with a "required employer" for more than \$49,999 per year. It applies to wages paid pursuant to "contracts, agreements or grants" with the state or any state agent exceeding forty-nine thousand nine hundred ninety-nine dollars per annum. Under the statute, management companies contracting with the state can be both "required employers" and "state agents."

Consequently, contracts between the state and a management company and between a management company and its vendors exceeding \$49,999 per year are subject to the statutory requirements. While there is no question that section 31-57f applies to individual contracts in excess of \$49,999, the questions raised by DPW and Judicial relate to the execution of multiple contracts, each less than \$49,999, but whose aggregate value exceeds \$49,999 at one location.

No state agency or management company under contract with the state has the authority to enter into multiple contracts to thwart the legislative directives set forth in section 31-57f. "It is not our practice to construe a statute in a way to thwart its purpose . . . or in a way that fails to attain a rational and sensible result that bears directly on the purpose the legislature sought to achieve." . . . Colonial Penn Ins. Co. v. Bryant, 245 Conn. 710, 725, 714 A.2d 1209 (1988)." State v. Reynolds, 264 Conn. 1, 32 (2003). The Department of Labor is specifically empowered to review contract awards to determine if they constitute an attempt to avoid the requirements of section 31-57f. Conn. Gen. Stat. § 31-57f(j). In such circumstances, the Department of Labor may conclude that section 31-57f applies to multiple contracts of less than \$49,999 per year with one or more management companies or one or more vendors at the same location if the aggregate per year payment to the management companies or vendors is more than \$49,999 at that location. A Department of Labor conclusion that an agency has attempted to avoid the requirements of Section 31-57f is a factual and discretionary determination entitled to deference. "An agency's factual and discretionary determinations are to be accorded considerable weight by the courts." Secretary of the Office of Policy and Management v. Employees Review Board, 267 Conn. 255, 262 (2004); City of Hartford v. Hartford Municipal Employees Association, 259 Conn. 251, 261 (2002).

In summary, we conclude that Conn. Gen. Stat. § 31-57f applies whenever employment results from a contract between the state and a management company with a value of more than \$49,999 per year. Section 31-57f applies to employees of a vendor under contract with a management company if the management company's contract with a vendor is for more than \$49,999 per year. The Department of Labor has the authority to prevent a state agency or a management company under contract with the state from circumventing the statute by executing multiple contracts, each less than \$49,999 per year, with the same or different management companies or vendors if the aggregate value of those contracts exceeds \$49,999 at one location.

Very truly yours,

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Office of The Attorney General  
**State of Connecticut**

Raeanne Curtis  
Acting Commissioner of Labor  
200 Folly Brook Boulevard  
Wethersfield, CT 06109

Dear Acting Commissioner Curtis:

As you know, Section 31-57f of the Connecticut General Statutes provides for the payment of a standard wage rate to certain service workers employed by contractors of the state or its agents. On September 8, 2003, this office issued an opinion letter concluding that state contractors must pay increases in the standard wage rate that occur during the period of a state contract and are promulgated by your department based on a formula established by the U.S. Department of Labor.

There has been uncertainty as to whether the contractor has a responsibility to absorb the cost of these increases, or alternatively the state agency must pay the contractor the increased costs. Your agency has concluded that the responsibility to pay for the standard wage increases ultimately lies with the state agencies. We agree with your agency's conclusion and are issuing this opinion to clarify the responsibilities and obligations of contractors and the State and its agents in adhering to section 31-57f of the Connecticut General Statutes.

A specific statute Section 31-57f (hereinafter "the statute")<sup>1</sup> applies to employers who enter into contracts or agreements with the state or its agents on or after July 1, 2000, to provide food, building, property or equipment services or maintenance. Conn. Gen. Stat. § 31-57f(a) and (m). An employer who pays the state for a franchise to

<sup>1</sup>The Statute provides in relevant part as follows:

(a) As used in this section: (1) "Required employer" means any provider of food, building, property or equipment services or maintenance listed in this subdivision whose rate of reimbursement or compensation is determined by contract or agreement with the state or any state agent: (A) Building, property or equipment service companies; (B) management companies providing property management services; and (C) companies providing food preparation or service, or both; (2) "state agent" means any state official, state employee or other person authorized to enter into a contract or agreement on behalf of the state; (3) "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives or organized groups of persons; and (4) "building, property or equipment service" means any janitorial, cleaning, maintenance or related service.

(b) On and after July 1, 2000, the wages paid on an hourly basis to any employee of a required employer in the provision of food, building, property or equipment services provided to the state pursuant to a contract or agreement with the state or any state agent, shall be at a rate not less than the standard rate determined by the Labor Commissioner pursuant to subsection (g) of this section.

...

(i) This section shall not apply to contracts, agreements or grants which do not exceed forty-nine thousand nine hundred ninety-nine dollars per annum.

(l) The Labor Commissioner may adopt regulations, in accordance with chapter 54, [FN1] to carry out the provisions of this section.

...

(m) The provisions of this section and any regulation adopted pursuant to subsection (l) of this section shall not apply to any contract or agreement entered into before July 1, 2000.

provide food preparation or service is also covered. Conn. Gen. Stat. § 31-57f(k). The statute applies to contracts with a value of \$50,000.00 or more. Conn. Gen. Stat. § 31-57f(i). See AG Opinion 2005-027, letter to Commissioner Shaun B. Cashman, October 17, 2005.

Conn. Gen. Stat. §31-57f(b) requires employers to pay their nonsupervisory employees an hourly rate that is not less than the standard wage rate established by the Labor Commissioner. Subsection (e) of the statute provides that the Labor Commissioner must determine the standard wage rate for each covered job classification by referring to the federal Service Contract Act of 1965. The standard wage rate shall be equal to the minimum hourly rate for service workers set forth in the federal Register of Wage Determinations under the Service Contract Act plus a thirty percent surcharge to cover the cost of benefits, if none are offered to the employees. Conn. Gen. Stat. § 31-57f(e).

Employers must keep detailed records documenting their compliance with the requirements of Conn. Gen. Stat. § 31-57f, and the Labor Commissioner and his staff may conduct inspections and hold hearings to investigate complaints of nonpayment of the standard rate of wages. Conn. Gen. Stat. § 31-57f(h) and (j). Employers who violate the statute may incur civil penalties. Conn. Gen. Stat. § 31-57f(c) and (d). The Labor Commissioner is authorized to adopt regulations to carry out the provisions of the statute; Conn. Gen. Stat. § 31-57f(l); but none have yet been promulgated.

On October 9, 2001, this office advised state agency heads that the standard wage rates in effect at the time of a contract's renewal, not those in effect at the time of a contract's award, applied to options to extend a contract. In a subsequent opinion letter, dated September 8, 2003, we determined that Conn. Gen. Stat. § 31-57f requires state contractors to increase employees' wages whenever the standard wage rate is increased. As stated in that opinion: "The legislative history of that statute ... makes clear that its primary purpose was to ensure that employers who contract with the state to provide certain kinds of services pay their employees fair wages."

The Department of Labor has informed us that it believes that the legislative policy goal of providing fair wages to employees, as set forth in Conn. Gen. Stat. § 31-57f, will not be achieved if employers subject to the provisions of Section 31-57f are required to pay their employees increases in the standard wage, without being reimbursed for such increases by the state agency with which they contract. If such employers are placed at an unfair economic disadvantage because of these state mandated wage increases, the jobs of the employees Section 31-51f seeks to benefit will be endangered, defeating the purpose of the statute. The Department of Labor has determined, therefore, that the increased standard wage rate should be paid by the state agency to the contractors in order to ensure that the workers receive their wages.

The Department of Labor has also informed us that numerous state agencies, including the Department of Public Works, the Department of Transportation, the Connecticut State Universities, and the University of Connecticut Health Center have agreed to pay increases in standard wages and associated costs to their contractors, who, in turn, paid the employees the back wages they were due.

The contracts between the state agencies and the contractors involved in this matter provide further important information about this question. We have reviewed a number of contracts between state contractors and state agencies, including the Department of Public Works, the University of Connecticut Health Center and Norwalk Community College. While these contracts state that the contractor must pay the standard wage rate, none state which party has the ultimate responsibility to pay for the increases in the standard wage. Each of the contracts in question was drafted by the state agency. A basic rule of contract construction provides that, "(w)here the language [in the contract] is ambiguous ... we must construe those ambiguities against the drafter." Cantonbury Heights Condominium Ass'n., Inc. vs. Local Land Development, LLC, 273 Conn. 724, 735 (2005). Accordingly, in light of the failure of the contracts to address this question, they must be construed against the agencies and in favor of the contractors. In other words, they must be construed to require the agencies to compensate the contractors for all costs of increases in the standard wage rate during the term of the contracts.

In light of these considerations, we agree with the Department's interpretation of Conn. Gen. Stat. §31-57f. "[T]he practical construction placed on the statute by the agency, if reasonable is highly persuasive." Ottochian v. Freedom of Information Commission, 221 Conn. 393, 399 (1992). Courts accord considerable deference to the construction given a statute by the administrative agency charged with its enforcement, particularly when the agency has consistently followed its construction over a long period of time." Sutton v. Lopes, 201 Conn. 115, 120 (1986).

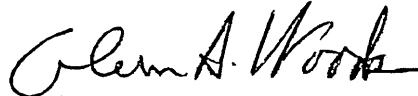
The legislature itself was concerned that the worker benefits set forth in Section 31-57f not disadvantage employers who provided such benefits, specifically directing that "employers with employees covered by collective bargaining agreements which call for wages and benefits that are reasonably related to the standard rate shall not be economically disadvantaged in the bidding process." Conn. Gen. Stat. §31-57f(f). Such concern for treating employers fairly who comply with the provisions of Section 31-57f is reasonably implied for all employers covered by all of the subsections of the statute. "It is not our practice to construe a statute in a way to thwart its rational and sensible result that bears directly on the purpose the legislature sought to achieve." Colonial Penn Ins. Co. v. Bryant, 245 Conn. 710, 725, 714 A.2d 1209 (1988)." State v. Reynolds, 264 Conn. 1, 32 (2003). Finally, as we stated in our October 17, 2005 opinion to you: "No state agency or management company under contract with the state has the authority ... to thwart the legislative directives set forth in Section 31-57f."

For the foregoing reasons, we conclude and advise you that pursuant to Conn. Gen. Stat. § 31-57f, any increase in the standard wage rate promulgated by you, based on a formula established by the U.S. Department of Labor, along with associated direct costs, such as increased payroll taxes, is the responsibility of the contracting state agency. Further, we recommend that procedures be established and regulations be adopted pursuant to subsection (l) of the statute in order to notify the contracting parties of any increases in the standard wage, and to facilitate compliance with the statute. Contract amendments to existing contracts should be executed to formalize this requirement and all new contracts should require state agencies to reimburse employers for increases in the standard wage, subject to audit by the agency.

Very truly yours,



RICHARD BLUMENTHAL  
ATTORNEY GENERAL



Glenn A. Woods  
Assistant Attorney General

RB/GAW/at

# Quick Reference to Standard Wage Rates for Certain Service Workers

## Comments, Clarifications, Questions

Questions, Clarifications or Comments Regarding Connecticut General Statute Section  
31-57f



*Write us at:  
Connecticut Department of Labor  
Wage and Workplace Standards Division  
200 Folly Brook Blvd.  
Wethersfield, CT 06109*



*Call us at:  
(860) 263-6790*



*Fax us at:  
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